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of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9
OF THE CONVENTION

Seventh periodic report of States parties due in 1995

Addendum

NAMIBIA*

[2 November 1995]

I. GENERAL

1. Namibia, which was Africa's last colony, regained her independence on 21 March 1990 through a long and bitter liberation war, after 105 years of German and later South African colonial rule. It is situated roughly between 17° and 29° south and 12° and 21° east, and has an area of 824,295 sq. km. Namibia is bounded on the north by Angola, on the north-east by Zambia, on the east by Botswana and South Africa and on the south by South Africa. The country borders the Atlantic Ocean to the west,

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* This document contains the 4th, 5th, 6th and 7th periodic reports due on 11 December 1989, 1991, 1993 and 1995 respectively. Namibia's third report contained in document CERD/C/153/Add.1, is pending consideration by the Committee.

The annexes to the present report are available for consultation in the files of the secretariat.

with approximately 1,300 km of coastline. Extending further east from the north-east is the 35-km-wide Caprivi Region which separates Angola from Botswana and runs for about 450 km into the Zambezi River. Topographically, Namibia may be divided into three natural regions, namely, the Namib Desert in the west, the central plateau, and the Kalahari Desert basin in the east. According to the 1991 census the population of Namibia was 1,409,920, comprising 723,593 females and 686,327 males.

2. Namibia is a unitary secular State. It is divided into 13 administrative regions. Each region has an elected Regional Council with a Regional Governor as the regional chief executive. It has an executive presidency system with the President as both the head of State and head of Government. But executive power is vested in the President and the Cabinet of Ministers. In this way, the presidential system partakes of aspects of both the American presidential system and the British cabinet system. The Cabinet consists of the President, the Prime Minister (who is the head of government administration) and ministers. At present there are 18 ministers. The large ministries have deputy ministers, e.g. the Ministry of Justice. All ministers must be members of the National Assembly in which legislative power is vested. It has the power to pass laws with the assent of the President and subject, where applicable in terms of the Constitution, to review by the National Council whose membership of 26 consists of 2 members elected by each of the 13 Regional Councils. The National Assembly on the other hand has 72 members elected through the party list method of the proportional representation system and up to 6 non-voting members appointed by the President. Municipal, town and village councils constitute local government. All members of the councils are elected by secret ballot on the basis of the fist-past-the-post electoral method.

3. The Judicial power of the country is vested in the courts which consist of the Supreme Court, the High Court and lower courts. The independence and impartiality of the judiciary are guaranteed by the Constitution. The High Court has unlimited jurisdiction and therefore it is better placed to protect human rights. The Supreme Court has only appeal jurisdiction except when it is called upon by the Attorney-General to determine the constitutionality of an act or law. Namibia has a justiciable Bill of Rights which is incorporated in the Constitution. Any person who alleges human rights violation, including racial discrimination, may seek redress in the courts, particularly the High Court. Apart from this judicial protection, there is the Ombudsman who is also empowered by the Constitution to protect human rights. There is also a State-sponsored legal aid scheme which offers legal assistance and representation to indigent persons who may wish to seek redress in the courts for abridgement of their human rights. Finally, there is a vibrant legal profession which is also free and independent.

II. INFORMATION RELATING TO ARTICLES 2 TO 7 OF THE CONVENTION

4. The people of Namibia through their elected framers of the Constitution decided never to return to their colonial past of racial discrimination as epitomized by the obnoxious and reprehensible doctrine of apartheid and the white people's utter disrespect towards the indigenous black people. After Namibia's independence the Government came up with the policy of national

reconciliation so that all Namibians may join hands in developing the country in peace and unity, without looking back into the past iniquities of apartheid. Akin to this policy is the policy that outlaws racial discrimination in all its forms.

5. About 5 per cent of Namibia's population is white, comprising English-, German-, and Afrikaans-speaking persons. About 7 per cent of the population are people of mixed race (coloureds). The remainder of the population are black people, consisting of seven major linguistic groups, i.e. the Bushman, Caprivi, Herero, Nama/Damara, Ovambo and Tswana language groups. The law before independence assigned about 33 million hectares of the land to so-called black homelands and about 35 million hectares to white commercial farmers. Thus German and later South African colonial laws made sure that most of the productive land remained in the hands of whites to the exclusion of the indigenous black population.

6. As a World Bank report observed, there are at least two Namibias. The white population, which is no more than 5 per cent of the total, is mostly urban and enjoys the incomes and amenities of a modern Western European country. The black population, mostly rural, lives in abject poverty. It was reported also that what the white population earns in a day of work, the urban black population earns in two weeks and the rural black population in one year. While the white population does have access to excellent health care and good education, the black population does not. The wealthiest 5 per cent, almost all of whom are whites, receive more than 70 per cent of the country's GDP, while the poorest 55 per cent receive only 3 per cent.

Article 2

7. In order to demonstrate the Namibian people's revulsion at the past colonial policy and practice of racial discrimination, the framers of the Constitution made it possible to criminalize racial discrimination by constitutional provisions. Pursuant to these provisions, the Racial Discrimination Prohibition Amendment Act was promulgated in December 1991. The main object of this statute is to render criminally punishable certain acts and practices of racial discrimination and apartheid in relation to, inter alia, public amenities, the provision of goods and services, immovable property, educational and medical institutions, employment, associations, religious services, and involving the incitement of racial disharmony and victimization.

8. The Government has taken legislative measures in terms of the 1991 Act to prohibit any person or central government or local government institution or private institution from denying any other person access to or the use of any public amenity or any facility in a public amenity solely because such other person is a member of a particular racial group. Neither should any person, private institution or local or central government institution apply any practice with respect to a public amenity a practice or policy whereby any facility or service available at such a public amenity is provided to members of the public on a segregated basis according to colour, race, nationality or ethnic origin.

9. The Government has taken legislative measures in terms of the 1991 Act to amend certain colonial laws which sought to perpetuate racial discrimination whereby black persons were not permitted to live or own real property in urban areas. In addition, the law prohibits any person engaged in a business, trade or profession for the provision of goods or services to the public to refuse or fail on demand to provide such goods and services to any person because such other person is a member of a particular racial group.

10. In terms of the law no association, whether by a provision in its constitution or in accordance with a policy or practice, deny any person admission to membership of the association because such other person is a member of a particular racial group. Indeed, at present there is no association whose membership is based solely on race, colour or ethnic origin. Thus, the membership of trade unions, the law society, farmers' associations, chambers of commerce, women's organizations, student unions, the accountants' institute and other professional bodies and political parties exhibit a multiracial character.

11. As alluded to earlier, Namibia inherited a considerable body of legislation which blatantly discriminates against blacks. Most of this legislation has been repealed some of it even before independence in 1990, but not all racially discriminatory legislation has been repealed or amended to date. An example of existing racially discriminatory legislation is the treatment of persons who were previously classified as blacks under the laws regulating the administration and succession of deceased persons' estates. Different systems apply to persons classified as whites and coloured on the one hand and to persons classified as black on the other. The law applicable to the administration of the estates of deceased whites and coloureds is the Administration of Estates Act, Act No. 66 of 1965. The law applicable to intestate succession (i.e. if a person dies without leaving a valid will) to the estates of whites and coloureds is the Intestate Succession Ordinance, Ordinance No. 12 of 1946. The law applicable to blacks in both cases is the Native Administration Proclamation, Proclamation No. 15 of 1928.

12. The system applicable to whites and coloureds is clear and easy to understand. There are detailed provisions regulating the succession and administration of these estates. The estates are administered under the supervision of a specialist office, that of the Master of the High Court. The law regulating the estates of blacks who die without leaving a will (the vast majority of cases) is a mass of confusion. There is no proper system of administration, nor is the administration properly supervised. It is difficult to establish who the heirs are and this uncertainty is exploited by unscrupulous persons who enrich themselves at the expense of the deceased's immediate family, particularly women and children.

13. The Master of the High Court is studying the situation with the view to standardizing this apparently discriminatory legislation and practice. But this study will take a considerable length of time since the practice is embedded in customary law of which there are many.

14. A further example of discriminatory legislation is section 17 (6) of the Native Administration Proclamation. This section, which only applies to a part of Namibia, thus causing further confusion, provides that a marriage

between blacks shall be outside of community of property. The usual marital regime is in community of property. There is definitely no justification for the maintenance of two separate systems, based on skin colour and, in addition, a black person's place of marriage. This is yet another area which will engage the urgent attention of the Law Reform and Development Commission.

15. A policy of affirmative action has been given practical effect in such areas as education and employment. In terms of article 23 (2) of the Namibian Constitution, Parliament may enact legislation providing directly or indirectly for the advancement of persons who have been socially, economically or educationally disadvantaged by past discriminatory laws or practices, or for the implementation of policies and programmes aimed at redressing social, economic or educational imbalances arising out of past discriminatory laws or practices. Although no such formal legislative instrument has to date been made, the policy is being implemented in deserving cases. Affirmative action legislation will be passed in the course of this year (1995)

Article 3

16. Namibia's condemnation and prohibition of the policies and practices of racial discrimination and apartheid are contained in article 23 (1) of the Namibian Constitution, which provides as follows:

> "The practice of racial discrimination and the practice and ideology of apartheid from which the majority of the people of Namibia have suffered for so long shall be prohibited and by Act of Parliament such practices, and the propagation of such practices, may be rendered criminally punishable by the ordinary Courts by means of such punishment as Parliament deems necessary for the purposes of expressing the revulsion of the Namibian people at such practices."

17. Because of the close historical ties between Namibia and South Africa, independent Namibia had no choice but to continue the economic and trade ties with apartheid South Africa. Diplomatic relations were also maintained at non-ambassadorial level. Each country maintained a liaison office in each other's country. Since the abolition of apartheid in South Africa, diplomatic relations between Namibia and South Africa have been elevated to ambassadorial level and economic and trade ties are being renegotiated with the new regime in line with the new socio-political dispensation in South Africa.

Article 4

18. In terms of the law, it is not permissible for a person to publish or display, or cause or permit to be published or displayed, any advertisement or notice that indicates an intention to perform any act which constitutes racial discrimination.

19. Under the law, every person is prohibited from publicly using any language or publishing or distributing any written matter or displaying any article (e.g. a flag, insignia or emblem) or doing anything with intent to threaten, ridicule or insult any person or group of persons on the ground that the person belongs or persons belong to a particular racial group, or cause,

encourage or incite disharmony or feelings of hostility, hatred or ill-will between different racial groups or persons belonging to different racial groups or disseminate ideas based on racial superiority.

20. The law forbids any person from establishing, supporting or being a member of or participating in activities of an organization or movement of which the aim is to engage in acts of violence against members of any particular racial group or engage in activities aimed at causing or promoting any such acts.

21. A person who does any of the things which are prohibited under paragraphs 18 and 19 commits an offence and is liable to a fine not exceeding N$ 80,000 or imprisonment for a period not exceeding 15 years or to both.

Article 5

22. In the preambular provisions of the Namibian Constitution, the basic human rights and fundamental freedoms contained in the Bill of Rights of the Constitution are guaranteed to persons regardless of race, colour, ethnic origin, sex, religion, creed or social or economic status. The rights and freedoms include: (a) the right to a fair trial by courts and tribunals; (b) the right to personal liberty and security of person; (c) freedom from torture or cruel, inhuman or degrading treatment or punishment; (d) the right to participate in political activities, including voting and being voted for in elections to all elective offices; (e) other civil rights, some of which are adumbrated under article 5 (d) (i) to (ix) of the Convention; and (f) economic, and social cultural rights, some of which are listed under article 5 (e) (i) to (vi) of the Convention.

Article 6

23. There are adequate and effective constitutional provisions which enable individuals to obtain remedies for any violation of their human rights and there are laws to ensure that those remedies are enforced, even against the State. People can seek redress in the courts whose independence is protected by the Constitution. Indigent persons have the State-sponsored legal aid scheme and a private legal aid scheme to fall back on for legal assistance and representation. There is a pro-active and an efficient institution of Ombudsman before which aggrieved persons may seek redress in a cheaper and quicker way, free from the stereotypes and complexities of judicial proceedings.

24. Every person has a right to a fair trial guaranteed to him or her by the Constitution regardless of his or her race, colour, ethnic origin, sex, religion, creed or social or economic status.

25. Whenever a court convicts any person of an offence of racial discrimination in terms of the 1991 anti-racial discrimination statute, the court may, upon the application of the complainant, if he or she has suffered damage as a result of an act in respect of which that person was convicted, award the complainant compensation for the damage he or she has suffered.

26. The Government's policy of national reconciliation has been fully accepted by all Namibians to such an extent that for the five years that Namibia has been independent only one case relating to racial discrimination has come up to the courts under the 1991 anti-racial discrimination Act whose provisions are in tune with the Convention. The case arose out of statements allegedly made and which were directed against white police officers who had beaten black persons engaged in a peaceful demonstration. Charges were brought against the then Director of the Namibian Broadcasting Corporation, a journalist employed by the NBC, and a Mr. Hans Goagoseb, who had made the statements. The prosecution which was brought under the 1991 Act was withdrawn during September 1995. It is interesting to note that the only prosecution ever brought under the Act was brought in protection of a sector of society (i.e. white police officers) that was responsible for the gross violation of the human rights of black Namibians during the colonial period. It cannot be controverted that a critical examination of any sector of society is necessary in a democratic society. This criticism will sometimes be expressed in racial terms, because of the legacy of racial classification and racial discrimination. It is hoped that the Act will not, however, be used to stifle such criticism, unless it amounts to crude racist speech or racial incitement. The provisions of the section 11 (1) (b) under which these persons were charged are indeed broader than article 4 of the Convention. It will therefore be necessary to amend the section so as to bring it in line with the provisions of the Convention.

27. The only fly in the ointment is that in terms of section 18 of the Act:

> "No trial for an offence under this Act shall be instituted without the written authority given personally by the Prosecutor-General in each case."

All criminal prosecutions are instituted under the Criminal Procedure Act (Act No. 51 of 1977) under the control and direction of the Prosecutor-General. His or her appointment and powers and functions are provided under article 88 of the Namibia Constitution:

> "(1) There shall be a Prosecutor-General appointed by the President on the recommendation of the Judicial Service Commission. No person shall be eligible for appointment as Prosecutor-General unless such person:
>
> "(a) possesses legal qualifications that would entitle him or her to practise in all the Courts of Namibia;
>
> "(b) is, by virtue of his or her experience, conscientiousness and integrity a fit and proper person to be entrusted with the responsibilities of the office of Prosecutor-General;
>
> "(2) The powers and functions of the Prosecutor-General shall be:
>
> "(a) to prosecute, subject to the provisions of this Constitution, in the name of the Republic of Namibia in criminal proceedings;

"(b) to prosecute and defend appeals in criminal proceedings in the High Court and the Supreme Court;

"(c) to perform all functions relating to the exercise of such powers;

"(d) to delegate to other officials, subject to his or her control and direction authority to conduct criminal proceedings in any Court;

"(e) to perform all such other functions as may be assigned to him or her in terms of any other law."

28. Section 18 places a severe and unusual obstacle in the way of a person wishing to institute criminal proceedings under the Act. Therefore, it would appear that Namibia has not complied fully with this article, which requires a State party to ensure an effective remedy to persons who have been discriminated against.

29. Unfortunately, it is still the position that black persons are discriminated against in many subtle ways. The worst cases often take place in small rural towns involving the poorest and most vulnerable sector of Namibian society, i.e. blacks. If section 18 were deleted from the Racial Discrimination Prohibition Amendment Act, the Act would become an effective remedy for all persons who have been discriminated against. The Ministry will work towards the repeal of the Act by deleting this offensive and overbroad provision. It is probably because of this limitation that only one prosecution has been instituted under the Act since it came into force in December 1991.

30. It is interesting to note that a case of racial discrimination was heard by the courts as from October 1991 under a repealed law, i.e. the Abolition of Racial Discrimination (Urban Land and Public Amenities) Act, 1979. Criminal proceedings that were instituted before the commencement of the successor statute were saved through a transitional and savings provision in that successor statute, i.e. the Racial Discrimination Prohibition Amendment Act, 1991, which was referred to earlier in the present report. The provisions of the 1991 statute are more in line with the Convention, as was intimated earlier, and also the maximum penalty for racial discrimination was enhanced from a paltry N$ 300 to between N$ 50,000 and N$ 80,000. In that case, some blacks, including a deputy minister, were refused meals in a restaurant. The complainants alleged racial discrimination as the basis for the refusal and so the accused (the restaurant owner and an attendant) were charged under a provision of the 1979 Act which prohibits a person who, in respect of any public amenity, applies any practice or policy whereby any facility or service available at such public amenity is provided to members of the public on a segregated basis according to colour, race, nationality or ethnic or national origin. Each of the accused was found guilty in a magistrate court and sentenced to the maximum fine of N$ 300. Their appeal to the High Court was dismissed.

Article 7

Education and teaching

31. First, Namibia has been combating racial discrimination through civic education as a cross-curricular subject. One of the major concerns of education reform in independent Namibia was the overcoming of the disparities of colonialism and apartheid which Namibia inherited with its independence in 1990. This demanded, above all, a kind of education which would terminate any "divide and rule" philosophy and politics. Instead, a better understanding of one another and tolerance towards racial and ethnic groups within Namibia were required and had to be developed by means of information and practical experiences. Although deliberations on how to incorporate this understanding in the formal school curriculum focused naturally on issues of the newly politically united nation, the international perspective of friendship between people and nations was never lost from sight.

32. An early initiative of the Ministry of Education and Culture to identify problem areas of racial discrimination was the establishment of a cross-ministerial national Committee for Civic Education which included, besides governmental institutions, private organizations and institutions of the Namibian civil society. To date, this committee has organized two major conferences on civic education in the Namibian context and drafted the blueprint for a framework for civic education in Namibia.

33. The blueprint deals, in a special section, with human rights issues. The Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination are main references. Although the work on the framework has not been finished yet, the information and ideas deriving from this initiative have been spread and have been incorporated in a number of school curricula.

34. Second, Namibia has been combating racial discrimination through the social studies curriculum (grades 4-7). As the initiative to address human rights issues in a broader way started from the Social Science and Humanities Subdivision in the Ministry of Education and Culture, the social studies curriculum naturally reflects this approach.

35. The curriculum addresses civic values; rights and responsibilities; causes of change and development that influence a peaceful and harmonious life in the family, community, country and the world. It fosters the development of attitudes such as a commitment to the human values of justice, equality, diversity and human rights, and the development of competencies in making responsible judgements in terms of justice, equality and other democratic values. Accordingly, a number of basic competencies in the grade 4 syllabus address, directly or indirectly, issues of better understanding each other, tolerance and friendship. The syllabuses for grades 5 to 7 are presently under discussion.

Culture

36. Article 19 of the Namibian Constitution provides that "Every person shall be entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the terms of this Constitution and further subject to the condition that the rights protected in this Article do not impinge upon the rights of others or the national interest."

37. Namibia has a rich and diverse cultural heritage, in terms of African and European traditions, and also physically, for instance in the form of rock art. However, in the past our cultural differences were accentuated through racism, exclusive ethnic allegiances and the colonial strategy of "divide and rule". In contrast, there is now a need for Namibians to develop mutual understanding and tolerance, as equals, as we build a new and united nation.

38. One of our first concerns has therefore been to record and understand the cultures which we have inherited. The National Archives and the State Museum have been engaged in research and education concerning Namibian cultures, and the struggle against racism in Namibia. There have been displays at the Museum about Namibia's liberation a struggle, and the role played in this by the United Nations, the solidarity movement, and our own leaders. Traditional knowledge and customs are also being gathered in regard to the natural environment. Two major exhibitions of Namibian and other rock art are in preparation, to show not a characteristic of a particular ethnic group but an invaluable contribution to the world of art.

39. Various cultural festivals have been organized in the regions and have attracted great public interest. Traditional crafts are being fostered, not just because of the culture which they convey, but also as a means of livelihood. A new view of culture is being introduced into the school curriculum, and this is being supplemented through extracurricular culture clubs.

40. Namibia is fortunate to have signed a number of international cultural agreements since independence. This has led to several stimulating exchanges of artists with countries of Africa, Asia, the Americas and Europe. There has been closer collaboration within the Southern African Development Community.

41. The College of the Arts, Namibia's main institution for arts education and training, is now engaged in a process of change to offer its services to a wider community, to be more engaged with African art forms, and to carry out research into Namibian music and dance.

42. Various cultural groups from all races have also been supported through grants, including the National Theatre of Namibia, the National Arts Gallery, the National Monuments Council, and a variety of smaller groups.

Information

43. The State-owned Namibia Broadcasting Corporation (NBC) - TV and radio - would usually publicize any instance of racial discrimination in order

to drive home the nation's and Government's revulsion towards any practice or conduct or behaviour which tends to foment racial hatred in the country. The radio conducts "chat shows" in the major languages of the country including English, the official language, where members of the public are encouraged to raise any issues they wish discussed and also to ask questions which representatives of government ministries and private institutions must answer on "Feedback" programmes. If any conduct or behaviour or utterance is perceived as capable of creating racial hatred or disharmony or considered as racialist, the maker of the statement or the person whose action is so perceived or a representative of his or her institution or organization - no matter if it is a Government or private institution - will have to answer questions raised on the "Feedback" programmes.

44. The TV also usually holds discussion programmes during which representatives from Government, opposition parties, academicians and representatives of non-governmental organizations are invited to discuss and find ways and means of strengthening the Government's policy on national reconciliation whose cardinal objective, as intimated earlier, is to combat racial discrimination despite the brutal and degrading oppression of non-white people by whites during the colonial era. Indeed, the policy of national reconciliation forms a part of the fifth preambular paragraph of the Namibian Constitution.

45. The press, radio and television assist in the dissemination of information on human rights and various human rights instruments by publicizing the various human rights seminars and workshops conducted by the Ministry of Justice, the Council of Churches of Namibia (CCN) and non-governmental organizations interested in the promotion and protection of human rights and the combating of racial discrimination.

Conclusion

46. The point has been belaboured in this report that racial discrimination is not a problem of national life of Namibia due mainly to the forgiving and accommodating character of the non-white population of the country which constitutes about 95 per cent of the total population. It is also because the Government has ensured the workability and success of the policy of national reconciliation. In addition, there is a justiciable Bill of Rights, which is chapter III of the Namibian Constitution, which seeks to guarantee every inhabitant's basic human rights and fundamental freedom without discrimination.

47. In sum, in Namibia, the 1991 anti-racial discrimination Act and the reinforcing Bill of Rights have succeeded in combating racial discrimination and in preventing any acts or conduct or behaviour that might tend to create racial discrimination to such an extent that no marked instances of racial discrimination or disharmony can so far be cited. The severe punishment under the Act is also real deterrent.

Consultation

48. The present report was compiled by the Ministry of Justice from inputs submitted by that Ministry and other relevant ministries and government agencies.

49. Comments on the draft were invited from the Legal Assistance Centre, a non-governmental organization which is involved in the provision of free legal assistance and representation and also in the promotion and protection of human rights. The Centre's comments have substantially been incorporated in this report.

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

CONSIDERATION OF THE REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Seventh periodic reports of States parties due in 1995

Addendum

The People's Republic of China*

[15 January 1996]

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* The present report combines in a single document the fifth, sixth and seventh periodic reports of the People's Republic of China due on 28 January 1991, 1993 and 1995 respectively.

For the fourth periodic report submitted by the Government of the People's Republic of China and the summary records of the meetings at which the Committee considered this report, see documents CERD/C/179/Add.1 and CERD/C/SR.868-870, respectively.

The information submitted by the People's Republic of China in conformity with the consolidated guidelines on the initial part of reports by States parties appears in document HRI/CORE/1/Add.21.

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Introduction

1. In conformity with the requirement of article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, the People's Republic of China submits to the Committee on the Elimination of Racial Discrimination its fifth, sixth and seventh periodic reports on the implementation of the Convention.

2. The main contents of its periodic reports deal with China's progress in the implementation of the Convention. It should be mentioned that where the data in the previous reports differ from those provided here, the information in the present report shall be taken to be correct.

3. The present report follows the general guidelines regarding the form and contents of the reports to be submitted by States parties as adopted and revised by the Committee on the Elimination of Racial Discrimination (CERD/C/70/Rev.3).

I - GENERAL

4. According to the fourth nationwide census of 1990, the population of continental China is 113,368 million. Besides the Han, there are 55 minority nationalities with a combined population of 91.2 million, or 8.04 per cent of the total.

5. The minority peoples of China concentrate in five autonomous regions - Inner Mongolia, Ningxia, Xinjiang, Tibet and Guangxi - and three provinces - Qinghai, Yunnan and Guizhou. In addition, there are also a small number of minorities living in three other provinces - Gansu, Sichuan and Hainan. At the present, minority nationalities who enjoy autonomous rights in accordance with the Constitution of China have established 156 autonomous areas at different administrative levels, including 5 autonomous regions, 30 autonomous districts and 121 autonomous counties or banners.

6. About a fourth of the total minority population, some 20 million, lives outside the autonomous areas in scattered communities.

II - INFORMATION IN RELATION TO ARTICLES 2 TO 7

7. The Government of China, endorsing the basic guidelines of the international community against racial discrimination and committed to mankind's progressive endeavour to protect human rights, has actively responded to all United Nations activities to combat racial discrimination.

8. Since China became a signatory State, much has been done inside the country to give effect to the Convention. The result has been remarkable. China would like to describe the legislative, administrative, judicial and other measures it has taken in nationality affairs as well as their social impact. In highlighting the idea and the goal of this United Nations endeavour, it hopes to impart its own meaning to the universal struggle against racial discrimination.

Article 2

9. The Chinese Government has always insisted on equality among China's nationalities. It opposes discrimination or oppression against any people. It promotes ethnic solidarity, mutual aid and common prosperity. It gives priority and preferential treatment to developing the economic and social enterprises of minorities.

10. The laws and other regulatory instruments promulgated by the Government of China in recent years, in so far as they bear on nationality affairs, have incorporated the essential spirit of the Convention. The Basic Law of the Special Administrative District of Macao adopted by the Eighth National People's Congress on 31 March 1993 is a good example of China's commitment to the principles of the Convention. Thus, article 25 of the Basic Law stipulates: "All residents of Macao are equal; no one shall be discriminated against on the grounds of nationality, origin, race, sex, language, religion, political or ideological belief, educational level, financial situation or social background."

11. Article 17 of the Civil Procedure Law adopted by the National People's Congress on 9 April 1991 stipulates: "The people's congress of a national autonomous area may, by adapting the principles of the Constitution and of this Law to local ethnic conditions, enact modified or supplementary rules."

12. Article 23 of the State Budget Administrative Regulations entering into effect on 1 January 1992 stipulates that the revenues and outlays of a national autonomous area shall be arranged and the management of its finances mandated in accordance with the provisions of the Regional National Autonomy Law; where there is no provision by the Regional National Autonomy Law, the State Budget Administrative Regulations and the relevant State financial administrative rules shall apply.

13. Article 6 of the Tobacco Monopoly Law entering into effect on 1 January 1992 stipulates: "State monopoly of tobacco in national autonomous areas shall, in conformity with the provisions of this Law and the relevant regional national autonomy laws, take into consideration the interests of the national autonomous areas and give preferential treatment to their tobacco growers and manufacturers."

14. The National People's Congress adopted on 3 April 1992 the Delegate Law of the National People's Congress and of Local People's Congresses at Various Levels, article 38 of which stipulates: "In exercising their functions, delegates of minority nationalities shall be provided with necessary assistance and given special consideration in terms of language and daily habit by the departments concerned."

15. With the completion of a legal system for China's nationalities, the autonomy rights of the national autonomous areas have acquired universal observance and protection. Thus, article 53 of the Law on the Protection of Women's Rights and Interests passed by the National People's Congress on 3 April 1992 stipulates: "The people's congress of a national autonomous area may, by adapting the principles of this Law to local conditions, enact modified or supplementary rules."

16. Article 20 of the Adoption Law passed by the National People's Congress on 29 December 1991 stipulates that foreigners may adopt children in China in accordance with this Law. Article 31 stipulates: "The people's congress of a national autonomous area and its standing committee may, by adapting the principles of this Law to local conditions, enact modified or supplementary rules."

17. The Regional National Autonomy Law is the principal law by which China regulates its ethnic relations. In December 1991, the State Council issued a Notification on Several Questions Concerning the Implementation of the Regional National Autonomy Law. This is one more major measure taken by the Government of China since the promulgation of the Regional National Autonomy Law to promote the full development of political, economic, cultural and social welfare enterprises in the minority areas.

18. In political terms, the Notification stipulates that minority cadres shall receive special attention and care. In a national autonomous area, the upper echelons of the people's Government and its subsidiary departments shall be staffed with minority cadres in positions of authority. In filling the annual staffing quota based on natural attrition, vacancies and projected post availability, priority shall be given to recruiting minority personnel. Schools and colleges shall give a sufficient number of courses on ethnic studies and minority policies. Problems affecting the relations between ethnic groups shall be promptly and properly addressed. Incidents which undermine ethnic solidarity shall be severely dealt with in accordance with the law.

19. In the economic domain, the Notification stipulates that the State shall appropriately increase its input into national autonomous areas on the basis of economic planning and the need for resources. In the 1991 to 1995 period, the total amount of fixed investment should be higher than before. Conditions being equal, priority should be given to channelling large and medium construction projects to minority areas. Local Governments at all levels shall proportionately increase their investment in areas of minority concentration under their jurisdiction. Special measures and preferential policies of the State already in force in minority areas shall be kept unchanged. Annual appropriation from central finances for the Development Assistance Fund for Underdeveloped Areas, some 800 million yuan before 1990, shall be increased by 60 million yuan per year. Enterprises operating in national autonomous areas shall try their best to recruit minority personnel. Any enterprise suited to be run by minority personnel shall be decentralized and given over to local management. Other enterprises also shall enjoy tax breaks not available in non-autonomous areas and can retain a larger portion of their products for discretionary distribution. More community-to-community assistance should be given by economically developed areas to minority areas. Provinces and municipalities that are economically developed should select as counterparts one or two autonomous regions and provinces with large minority populations, sign agreements or contracts with them to transfer experience and technology and offer assistance in human, financial and material resources, thereby helping to speed up the development of minority areas in the domains of economy, culture, education, science and technology, health care, etc. The State Council should arrange for minority areas to accept more projects funded

by overseas loans and grants-in-aid. Bank credit to minority areas in capital assets and capital flows shall be commensurate with their level of development but assessed in preferential terms.

20. Concerning cultural matters, the Notification stipulates that strong measures shall be taken to help national autonomous areas run their schools. Schools programmes in these areas should be adapted to local production and ethnic lifestyle. More scholarships shall be available to minority students. Institutions of higher learning and professional schools shall continue to set more liberal admission standards for minority applicants. Among candidates with the same qualifications, those of minority origin shall be admitted first. Ethnic communities in remote border areas shall be identified for student recruitment and quota allotment. The State shall provide more funding for special educational grants for minority students. The State shall take measures to assist minority areas to develop their culture, health care and sports. Minority areas should have access to better information. In particular, they should be provided with more newspapers and books in ethnic languages. The splendid cultural heritage of minorities should be protected, enriched and propagated. National autonomous areas should receive more trained medical personnel. Traditional medicine of ethnic peoples should be preserved and developed. To improve their physical condition, encouragement should be given to organizing popular athletic events, including the traditional sports of minorities. Minority areas should receive assistance to broaden their scientific and technological capacities. Scientific training should be popularized. The impact of science should be explored. The fruits of new technology should be spread to minority areas. New industries should be launched.

21. Concerning social welfare, the Notification stipulates that more State assistance should flow towards poverty areas. With the growth of the economy, more funds should be earmarked to provide basic necessities to poor minority areas.

22. In its 1991-1995 National Economy Development Scheme, the Government of China has made special provisions for the economic development of minority areas. It requires that "the comparative advantages of minority areas be fully realized. The exploration of resources in these areas should be coupled with socio-economic development, thereby enabling them gradually to shed their backwardness, catch up with the rest of the country and share the general prosperity with all other peoples. The Regional National Autonomy Law and the preferential policy towards minority areas shall be conscientiously implemented to force a faster pace of economic and cultural development."

23. To expand production in farming, forestry and husbandry, the Scheme urges the creation of more "stable-yield and high-yield fields". More communities should become self-sufficient in food. The steppes and grazing grounds are to be more carefully managed. Existing grassland resources must be protected. A solution has to be found for the critical problem of drinking water for humans and animals in pastoral areas. The ecology of agriculture and husbandry must be gradually upgraded. The Great Bend of the Yellow River in Inner Mongolia and Ningxia shall continue to be built up into a granary for commodity foods. The Three River Basin of Tibet shall be developed. Sugar beet shall be grown

in Inner Mongolia, Xinjiang and Ningxia, cane sugar in Guangxi and Yunnan, cotton in Xinjiang, tropical cash crops in Hainan, Guangxi and Yunnan.

24. Concerning transportation and telecommunication, the Scheme gives priority to upgrading the rail lines from Lanzhou to Xinjiang, in south Xinjiang and from Xining to Golmud and to construct new rails between Nanning and Kunming and Jining and Tonghua. At the same time, the Scheme calls for more rapid development of highways and air links to complete the regional transportation network.

25. In the energy and mining sectors, the Scheme proposes to give impetus to the development of minority area economies by exploiting the coal of Inner Mongolia, Ningxia, Xinjiang and Guise, the oil of Xinjiang, the hydroelectric resources and non-ferrous metals of upper Yellow River, the Woo River basin, the Red River basin and the Launching River basin, the phosphorous of Yunnan and the solvate of Qinghai.

26. The Scheme also emphasizes processing industries which possess local advantage and character. The production of goods for ethnic use should be encouraged. Minority trade should receive preferential treatment. The development of cross-border foreign commerce requires the construction of more inland ports.

27. In the domains of science, education, culture, health care and sports, the Scheme envisions universal primary education. It advocates more adult education and vocational training, more pilot projects in science and technology, access to broadcasting and television coverage, formation of minority cadres and intellectuals, research in ethnic medicine, improvement of mass health care.

28. In 1991, the National People's Congress ratified the Ten Year Plan on National Economic and Social Development proposed by the State Council. The emphasis is on the "building up and development of socialist ethnic relations based on equality, mutual assistance, solidarity cooperation and common prosperity". Regional national autonomy shall be maintained and elaborated. Discrimination and oppression of minorities shall be opposed. Ethnic separatism shall be opposed. The comparative advantages of minority areas shall be fully realized. The exploration of resources in these areas shall be coupled with socio-economic development, thereby enabling them gradually to shed their relative backwardness and catch up with the rest of the country.

29. In March 1993, the Eighth National People's Congress adopted the Government's Working Report. In it, the Government declares that it will take forceful measures to continue its preferential policies for minority areas. For this purpose, it will increase input, make work as substitute for welfare, exchange know-how, rely on science and technology to solve the problem of poverty, encourage mutual aid between communities.

30. On 26 March 1993, the State Council approved the Elements of Economic Institutional Reform for 1993 proposed by the Commission of Economic Institutional Reform. The Elements urge the Government to "study what concrete policies can open up and accelerate the reform process in interior, border and minority autonomous areas. By trying different types of pilot

projects, each with its own characteristics, ways and means can actively be explored to introduce reform into the interior and into minority areas."

31. To satisfy special daily necessities of minority communities, the State Council authorized on 25 March 1991 the Comments on How to Intensify Ethnic Trade and Manufacture More Goods for Ethnic Use offered by the National Commission on Minority Affairs. According to these Comments, there are 412 "ethnic trading counties" in China, comprising 2,100 enterprises of some dozen categories producing special goods for the use of minority communities. In 1989, the total sales from these "ethnic trading counties" was 32.1 billion yuan, of which the production of special ethnic goods accounted for 2.5 billion yuan, respectively increasing by 167 per cent and 230 per cent over 1980. The Comments propose to keep the soft credit lines open to the minority enterprises in these counties. For this purpose, between 1992 and 1994, it was arranged to provide 40 million yuan of low-interest loans to build up their base network and to modernize their technology.

32. Between 1990 and 1993, the total industrial and agricultural output of all national autonomous areas increased by 43.3 per cent, of which agricultural output increased by 19.8 per cent and industrial output by 61.3 per cent. Life has visibly improved. The average annual salary of an employee in an autonomous area has increased from 2,040 yuan to 3,074 yuan. The average annual net income of a farmer or herdsman has increased from 546 yuan to 696 yuan.

33. China's minority regions are also increasingly open to foreign trade. In 1992, the State Council authorized the following border cities to be open trading cities: Huichun of Jilin province; Manzhouli of the Inner Mongolia Autonomous Region; Nanning, Pingxiang and Dongxing of the Guangxi Zhuang Autonomous Region; Kunming, Wanding, Ruili and Hekou of Yunnan province. In addition, it has applied to the Xinjiang Uighur Autonomous Region the same eight preferential policy rules as enjoyed by the coastal provinces.

34. Since March 1990, China has promulgated over 20 new autonomy regulations as well as a series of special ordinances in areas with concentrated minority settlements.

35. The legislation of national autonomous areas is constantly being reinforced. As of October 1995, China's national autonomous areas at different levels have enacted over 120 autonomy regulations and over 160 special ordinances. They govern a wide range of matters in 15 general domains - election, marriage, inheritance, ethnic culture, education and language, birth control, protection of minors, prohibition against narcotics, exploration of resources, conservation and management of soil, grassland, forests, rivers and lakes, and alleviation of the financial burden of farmers. Nine provinces with national autonomous areas under their jurisdiction have also promulgated regulations to implement the Regional National Autonomy Law.

36. China's local laws and regulations, by setting standards, have had an important impact on the development of minority areas. Take Inner Mongolia as an example. In recent years, the Inner Mongolia Autonomous Region has elaborated 37 local laws and regulations, 295 governmental ordinances and over 30 special preferential policy rules. These have prepared the ground for a

take-off in minority economy and culture. From 1980 to 1993, the total industrial and agricultural output of Inner Mongolia increased from 6.5 billion to 57.9 billion yuan. The average yearly income of a farmer or a herdsman is now 829 yuan.

37. The people's central Government continues to give special consideration to the Tibet Autonomous Region. Between 1965 and 1994, the 30-year aggregate direct investment by the central Government in Tibet was 9.79 billion yuan. In addition, it gave a total of 21.2 billion yuan in financial assistance. To effect accelerated growth, it was decided at the Third Working Seminar on Tibet, held in Beijing in July 1994, to invest 2.38 billion yuan to launch 62 major projects in Tibet. As of now, with over 40 of these projects completed and the rest in progress, the actual investment has already risen to 3.31 billion yuan. Thus, in recent years, the economy of Tibet has been growing at a healthy pace. In 1994, the GNP for Tibet was 4.3 billion yuan, an inc ease of 37.7 per cent over 1989. Its revenue was 142 million yuan, 9 times that of 1989.

38. Local governments also pay attention to the development of the national autonomous areas under their jurisdiction. For example, the province of Gansu has two autonomous districts and seven autonomous counties. Starting in 1991, the province has taken upon itself to provide a yearly subsidy of 3 million yuan to each district and 500,000 yuan to each county. The increase in input to these areas has been 150 million yuan in 5 years.

39. The Government of China attaches great importance to protecting the rights of the scattered minority communities and preserving their customs. In addition to the two standing ordinances - the Decision on Safeguarding the Equal National Rights of All Scattered Minority Ethnic Elements and the Directive on Some Questions Concerning the Establishment of Ethnic Communities - the National Commission on Minority Affairs also promulgated in November 1993, as authorized by the State Council, the Regulations for Ethnic Community Administrative Work and the Regulations for Urban Ethnic Work, thereby providing further safeguards for the rights of minorities living in scattered settlements.

40. After more than five years spent on drafting and revision, the Law to Safeguard the Equal Rights of Minorities in Scattered Communities was adopted in principle by the twenty-second session of the Nationality Committee of the National People's Congress in December 1991, thus passing on to a more advanced legislative stage.

41. In addition, the people's Governments at different levels have committed more than 1 billion yuan over the years on the various enterprises of multi-ethnic communities.

Article 3

42. China opposes and severely condemns racial segregation and apartheid. China has no law, no policy with any tint of racial segregation and apartheid. China prohibits any propaganda and behaviour of this nature. Article 4 of China's Constitution stipulates: "Any act which undermines the unity of the nationalities or instigates division is prohibited". Article 9 of the Law on

Regional National Autonomy likewise stipulates: "Any act which undermines the unity of the nationalities or instigates division shall also be prohibited" by "State organs at higher levels and the organs of self-government of national autonomous areas".

43. During every session of the United Nations Commission on Human Rights, the Chinese delegation has spoken up to support the activities of the Decades for Action to Combat Racism and Racial Discrimination and to oppose all forms of racism, racial discrimination, racial superiority and intolerance.

44. As a signatory State of the International Convention on the Suppression and Punishment of the Crime of Apartheid, China has always adhered to the policy of no engagement in any diplomatic or consular, political or cultural relations with any government politically involved in racial discrimination.

45. On 22 March 1990, when Namibia celebrated its independence and the formal conclusion of a nefarious rule of colonialism and racism, the Government of China sent a vice-premier as a special envoy to convey its sincere congratulations to the new nation. On that very day, Namibia and China established diplomatic relations, opening up an era of flourishing mutual exchanges.

46. After 69 per cent of the white citizens voted on 27 February 1992 to abolish apartheid in favour of a peaceful resolution of South Africa's problems through negotiations, the spokesman of China's Foreign Ministry on 19 March congratulated the correct choice made by the vast majority of South African whites on this momentous question on which hinged the future of the nation, adding: "With the abolishment of apartheid in South Africa, the Government of China will now normalize its relations with South Africa on the basis of the five principles of coexistence." Since then, trade relations between our two countries have flourished and exchanges of visits have greatly increased.

Article 4

47. China's Constitution stipulates: "All nationalities ... are equal" and "Discrimination against and oppression of any nationality are prohibited". Article 8 of the Trade Mark Law stipulates: "No trade mark may use words or designs showing discrimination against any nationality."

48. In June 1994, seven departments, including the National Commission on Minority Affairs and the Ministry of Culture, jointly issued a Notification Concerning the Prohibition Against Contents in News Publications and Literary Works That Undermine the Unity of Nationalities, banning any image in news media damaging to the interests of minorities.

49. China bans any domestic organization that propagates racial discrimination or the superiority of any people. Whenever ethnic discrimination appears, it is severely dealt with in a timely fashion by the Government.

50. For example, in July 1992, when a "Darkie" or "Darlie" brand of toothpaste appeared on the market with a smiling black face as its trade mark,

China's Industry and Commerce Administrative Office and the Ministry of Commerce promptly noted that the words and the design evinced racial discrimination against black people. Found seriously violating articles 8 and 34 of China's Trade Mark Law, that brand of toothpaste was not to be sold by any shop or individual, or the seller would risk legal prosecution. The ban was scrupulously observed.

51. Another example: the Sichuan Art Press reprinted a comic strip originally published in Taiwan called Turn Your Mind Around. Volume 10 of the series contained pictures and texts insulting to ethnic and religious sensibilities, which unleashed a storm of protests from minority groups. The State News and Publications Bureau promptly withdrew the book from circulation. The case was tried by the Chengdu Municipal Intermediate People's Court of Sichuan province on charges brought by minority groups. The people responsible were found guilty of dereliction of duty and respectively sentenced to five, three and two years of imprisonment.

52. In early 1995 there appeared a newspaper by-line the contents of which outraged ethnic and religious sensibilities. Some newspapers concerned were ordered to suspend publication; the persons responsible were variously punished, either transferred, demoted or dismissed.

Article 5

53. Article 33 of the Constitution stipulates that all citizens are equal before the law.

54. Article 8 of the Civil Code stipulates that its provisions on citizenry - on civil rights capacities, civil acts capacities, guardianship, etc. - also apply to foreigners and stateless persons inside Chinese territory, unless the law provides otherwise.

55. Chapter II of the Constitution, entitled "The Fundamental Rights and Duties of Citizens", and other special laws have laid down provisions and put up safeguards concerning the political, civil, economic, social and cultural rights of citizens. The four previous reports by China may be consulted for specific details.

56. Article 3 of the Trade Union Law adopted by the National People's Congress stipulates: "All physical and mental workers of enterprises or administrative units or organs in Chinese territory who depend on income from wages as their principal source of livelihood have the right to join or organize a trade union in accordance with the law regardless of nationality, race, sex, profession, religious belief or educational level."

57. The particular individual rights of China's minority citizens are accorded with further protection. Article 11 of the Civil Procedure Law promulgated on 9 April 1991 stipulates: "The citizen of any nationality has the right to undertake civil action in the spoken and written language common to that nationality". "The people's court in an area of minority concentration or in a multi-ethnic area shall handle and issue legal documents in the spoken and written language commonly used by the people of that area."

"A party to a lawsuit who does not understand the spoken or written language commonly used by the local people shall be provided with an interpreter by the people's court."

58. Of the 2,977 delegates attending the first session of the Eighth National People's Congress in March 1993, there were 433 representatives from 55 minority nationalities, i.e. 14.5 per cent of the total. Among the 19 chairmen and vice-chairmen of committees, 4 (over 21 per cent) were persons of minority origin. The Standing Committee, consisting of 134 members, had 25 minority representatives (18.7 per cent).

59. When the eighth session of China's People's Consultative Conference met in 1993, a total of 2,093 delegates attended. Again, 55 minority nationalities had sent their own representatives, numbering 241. These, plus 3 delegates who were foreign nationals, accounted for 11.5 per cent of the total. Among the 26 chairmen and vice-chairmen of committees, 4 (11.5 per cent) were of minority origin; among the 288 members of the Standing Committee, 42 (14.6 per cent) were of minority origin.

60. According to statistics, as of 1993, over 2.2 million officials of various levels in the whole country were of minority origin, as compared to a mere 10,000 in 1949. At the provincial/ministry level, 10.5 per cent of the officials were of minority origin; at the district/department level, the percentage was 7.9 per cent; at the county/office level, the percentage was 7.6 per cent.

61. In national autonomous areas, the proportion of minority officials has been rising. In early 1995, the Tibet Autonomous Region had 44,271 officials of Tibetan origin, accounting for 72.1 per cent of the total. This broke down to 72 per cent at the level of the autonomous region, 86.1 per cent at the district/special area level, 61.2 per cent at the county level. All the administrative heads of districts, municipalities and counties were Tibetans; 80 per cent of the Party organizations in 7 districts/municipalities and 76 counties were headed by Tibetans.

62. In 1995, the Xinjiang Uighur Autonomous Region had over 270,000 officials of minority origin, or 48.1 per cent of the total number of local officials. Of the 10 chairman and vice-chairmen of the standing committee of the regional people's congress, 9 chairman and vice-chairmen of the regional people's government, 14 chairman and vice-chairmen of the regional political consultative conference, respectively 7, 5 and 9 were of minority origin. The chief justices and procurators of the autonomous region, districts and municipalities were all assumed by minority persons.

63. In the Inner Mongolia Autonomous Region, where, in 1995, minorities accounted for 19.38 per cent of the population, 23 per cent of the total number of local officials were of minority origin, breaking down to 51 per cent at the regional level, 50 per cent at the office/bureau level, and 50.77 per cent in the regional people's congress.

64. The same rapid increase of minority officials is evident throughout the nation. The interior province of Hunan, for example, had over 8,500 minority

officials under appointment and over 6,100 candidates in training in 1992. Among the latter, over 330 received university degrees and 1,340 received professional diplomas.

65. The Government of China puts great emphasis on the training and promotion of a growing corps of minority women cadres. Take Tibet as an example. At the end of 1989, women accounted for 30 per cent of all the officials in Tibet. Among them, 57.4 per cent were Tibetan women. Before 1959, no woman ever served as an official.

66. Greatly in disproportion to their population, more and more leadership positions are taken by talented individuals from the minorities of China. Even in the military, minority ethnic officers are increasing in number. Under the Xinjiang Military Command, for example, 35 per cent of the middle and higher ranking ethnic officers have undergone further advanced training, while 50 per cent have acquired a university or professional degree. At the army or division level, there are over 100 ethnic officers. The youngest general in all the armed forces is a Uighur. The Xinjiang Military Command has laid down special guidelines in a policy document entitled Ideas on How to Strengthen the Ranks of Minority Cadres.

67. Much attention is also given to the formation of intellectuals, technical professionals and managers from minority peoples. The five minority autonomous regions, among them, boast some 1.7 million skilled workers. In 1995, 47.21 per cent of the technical professionals in the Xinjiang Uighur Autonomous Region, over 180,000 in number, were of minority origin. In Tibet, that ratio attained 73.3 per cent.

68. As one of the provinces with a high concentration of minority communities, Yunnan has actively sought to stimulate science and technology in minority areas through legislative means. As a first concrete measure in this endeavour, it adopted in March 1993 the Regulations to Promote Scientific and Technological Advancement in the National Autonomous Areas of Yunnan, specifically providing for push and input in this particular domain. As of 1992, Yunnan had 115,000 minority technical professionals, or 22.24 per cent of the total. In the last 10 years, the national autonomous areas of Yunnan claimed 238 science and technology awards given by the province.

69. The Government of China protects the religious beliefs of minorities and respects their traditional faiths and rituals. On 28 January 1989, Panchen Erdini, the tenth Panchen Lama of the Tibetan Buddhism, passed away in Xigaze, Tibet. Two days later, the State Council published a decision on the question of the Panchen Lama's reincarnation. From then until 1995, the group appointed to search for the reincarnated child made good headway in carrying out its mission following the prescribed rites and procedure. On 14 May 1995, the Dalai Lama abruptly jumped the gun by announcing from abroad his own "reincarnated child" in disregard of established rules. Unperturbed by this blatant attempt at interference, the Tibetan Buddhist leaders nevertheless settled on three candidates for the reincarnated soul of the tenth Panchen Lama. In strict adherence to historically established rituals, the ceremony of lot-drawing from the Golden Urn took place on 29 November 1995 in front of the statue of the Lord Buddha Sakyamuni in the Jokang Monastery in Lhasa, presided by a special envoy from the State Council. The boy thus

selected turned out to be Gyaltsen Norbu, who was acknowledged to be the reincarnated Panchen Erdini. On 8 December, the State Council once again sent a special envoy to preside and watch over the enthronement ceremony of the eleventh Panchen Lama, to pronounce from the Golden Book and to confer on him the great Golden Seal. The search for and the identification of the reincarnated Panchen Lama, lasting six years, had at last come to a satisfactory conclusion.

70. The passing away of the sixteenth Living Buddha of the Karma Kargyupa Sect of Tibetan Buddhism also initiated a ritualistic search by the monks of the Vbrug Dgon Monastery for his reincarnated child. When the child was finally found on 27 June 1992, he was formally acknowledged by the central Government in accordance with the established tradition. A special envoy was sent to attend his enthronement ceremony on 27 September that year as the seventeenth Karmapa Living Buddha. In October 1994, the Karmapa Living Buddha, expressly invited to Beijing to attend the national day celebration, paid a courtesy call on the President of the Republic, Jiang Zemin, and other leading personages of the nation.

71. The Government of China takes upon itself to give protection, both in legislative and in financial terms, to the religions of minorities. Thus, two days after the Panchen Lama passed away, the State Council decided to commemorate this beloved patriotic religious leader by building a soul tower and a temple of worship in his name. For the task, 200 craftsmen were recruited from 18 counties and cities. The State put out 64 million yuan for building costs as well as 614 kilos of gold and 270 kilos of silver for decoration.

Article 6

72. China has written into law provisions against any act which infringes upon the basic rights of minorities or which has any implication of ethnic discrimination. These interdictions have already been mentioned in the four previous periodic reports.

73. Article 2 of the State Compensation Law stipulates: "Where a State organ and its personnel have acted unlawfully in the performance of their functions and infringed upon the legitimate rights and interests of a citizen, legal person or organization, thereby causing damage, the victim has the right to claim compensation from the State."

Article 7

74. To encourage solidarity, cooperation and prosperity shared among nationalities, the Government makes a point to honour and award units and individuals who have made special contributions to ethnic harmony. Thus, in October 1994, the State Council for the second time held a ceremony to confer honours on 643 groups and 613 individuals who have been active in promoting inter-ethnic relations.

75. The Government also calls on non-ethnic provinces to provide more assistance to minority areas. As of 1991, there had been more than 5,000 of such community-to-community projects in the pipeline, involving some 18,000 exchanges of skilled personnel of all kinds.

76. Starting from 1983, May of each year has been designated the "ethnic harmony consciousness-raising month" in the Xinjiang Uighur Autonomous Region, where total integration between the Hans and other minorities is a reality long taken for granted.

77. As ethnic relations in China consolidate on a footing of equality, unity and mutual assistance, internal voluntary migration of peoples also becomes more fluid. In the last 10 years in the Tibet Autonomous Region, for example, over 1,800 Tibetans have come back to settle, and over 12,000 have come back for family visits.

Education

78. The education of minorities is a matter of high priority of the Government, which puts a tremendous effort into it. According to the Development Programme for the Children of China in the 1990s, in the present decade, "the main thrust for universal and compulsory primary education and general literacy shall be directed at economically underdeveloped areas and minority areas ... In these large, sparsely settled areas deficient in transportation, special measures shall be taken to renovate and build new teaching centres with primary schools which teach ethnic subjects and accept student boarders. More effort shall be devoted to training minority women teachers."

79. The State Council promulgated on 2 March 1992 a Programme for the Reform and Development of Education in China, in which article 11 stipulates: "Priority shall be placed on supporting the education of minorities. The central as well as the local Governments shall gradually increase their education outlays for minority students. Preferential policies and measures shall be adopted for minority areas with unique difficulties. When the State budgets aid and anti-poverty funding, a certain percentage shall be committed to ethnic education. College and high school graduates who volunteer to work in remote areas shall also receive preferential treatment. Inland provinces and municipalities shall be actively encouraged to give community-to-community assistance to minority areas. Minority areas shall explore ways to adapt their educational system to local conditions."

80. Article 25 of the Guidelines on the Implementation of the Compulsory Education Law of April 1992 stipulates: "National autonomous areas shall carry out compulsory education in accordance with the Compulsory Education Law and other legal provisions. The facilities, structure, pedagogy, curricula and language of instruction to be applied in compulsory education shall be determined by the local autonomy itself in accordance with relevant laws."

81. The rapid development of minority education is one of the proudest achievements of China's nationality policy. By now, 55 minorities have sent their children to universities. Minority enrolment increases at a faster rate than the national average.

82. Minority education shows the following characteristics:

(a) It is expanding rapidly. Since 1950, 105 higher institutions have been launched in minority areas. There are now 102 institutes for nationalities in the country. Many universities and colleges offer preliminary or specialized courses on ethnic studies. In 1993, there were 163,224 minority students enrolled in higher institutions;

(b) There are more and more teachers of minority origin. At present, at institutions of all levels, from primary schools to universities, there are altogether over 9 million teachers in the country, 4.3 times the number in 1950. Of these, 726,500 are teachers of minority origin, an increase of 1,021 per cent over 1950;

(c) A great deal more teaching material is now in minority languages. Ten provinces and autonomous regions in China have publishers editing and translating books into minority languages, publishing each year 1,800 editions of middle and elementary school textbooks, numbering over 50 million copies. Over 6 million students from 23 nationalities are now being taught in 29 different minority languages, mainly in Mongolian, Tibetan, Uighur, Kazakh, Korean, Yi and Zhuang;

(d) Minority education is undergoing active reform. In this respect, schools in minority areas receive a great deal of assistance from other areas. Since 1982, over 70 higher institutions have entered into affiliation with sister institutes in Xinjiang, Inner Mongolia, Ningxia, Tibet, Yunnan, Guangxi and Qinghai.

83. In recent years, thanks to a many-faceted approach - actively recruiting minority students, retraining teachers, providing guest lecturers, donating equipment and books, exchanging experiences in teaching methods and school administration, etc. - the standard of instruction in remote areas has greatly improved.

84. Advanced education for minorities, fostered by affirmative action from the Government, has also continued to make progress. One outstanding example is the Central University of Nationalities. From the outset, enrolment and books have been free. Students receive subsidized meals, free medical service, and grant-in-aid. Scholarships are awarded to outstanding students. The ratio of minority students at the University, 63.8 per cent at the beginning, has risen to 91.4 per cent. The ratio of minority teachers, too, has gone up from 16 per cent to 23 per cent today.

85. Let us take a tour around the major autonomous regions. In 1995, there were 3,564 institutions of various levels and kinds in the Tibet Autonomous Region, with a total enrolment of 270,000. In addition, in the rest of China, 107 special Tibetan classes are offered in 26 provinces and municipalities, in which another 10,000 students are enrolled. Starting in 1992, according to government policy, children of pastoral families in Tibet can enjoy free meals, free uniforms and free boarding when they enter school. As a result, the enrolment rate of school-age children has risen from less than 2 per cent to the present 67 per cent. Illiteracy and semi-illiteracy have decreased from 95 per cent to 44.43 per cent. In recent years, education has taken up

15 per cent of the regular budget of Tibet, annually increasing by 11 per cent. Input into educational facilities accounts for 10 per cent of the total local investment. Some 518,000 square metres of new schoolrooms have been constructed. Modern techniques such as instruction via satellite have been put into use.

86. In 1994, the Xinjiang Uighur Autonomous Region had 21 higher institutions, 355 intermediate-level professional schools and 8,947 middle and elementary schools, with a total enrolment of 3,041,600 students, of whom 1,978,200 were of minority origin. The respective enrolment figures in universities, high schools, junior middle schools and elementary schools per 10,000 population are all higher than the national average. The Autonomous Region also subsidizes the writing of textbooks for minority schools. In 1990, the enrolment rate of school-age minority children attained 96.51 per cent. Of the 188,000 teachers in the Autonomous Region, 105,100 were of minority origin. In addition, since 1989, 55 higher institutions in other parts of China have turned out 5,000 minority graduates from Xinjiang.

87. Minority education has also developed rapidly in the Ningxia Hui Autonomous Region, where 33.25 per cent of the population consists of Hui Muslims. In 1992, Hui students of all levels and categories of schooling accounted for 27.1 per cent of the total enrolment. In the same year, it is interesting to note, 33.6 per cent of the education budget of Ningxia was committed to its southern part where most of the Hui people live.

88. In the Inner Mongolia Autonomous Region, school attendance rate of minority children has attained 98 per cent. In the old days, advanced education in Mongolia was nil. By 1993, however, there were 19 higher institutions with an enrolment of 37,000, of whom 8,950 were of minority origin. The 1993 figure was 3.1 times that of 1978, 60.5 times that of 1952. Moreover, the growth of minority enrolment over the last 40 years was consistently higher than the average growth of enrolment for the autonomous region as a whole.

Culture

89. In December 1991, a national working conference was convened on the theme of minority languages. At the conference, the Government reiterated its policy of insisting on equality for all national languages. Of the 55 minority peoples of China, 53 have their own language, and 21 have their own writing.

90. The Procedure for the Nomination and Designation of Delegates to the Fourth Session of the Seventh National People's Congress adopted on 3 April 1991 provides that nomination ballots shall be printed in Mongolian, Tibetan, Uighur, Kazakh, Korean, Yi and Zhuang as well as in Chinese.

91. Article 2, paragraph 2 of the Regulations on the Seals of Societies coming into effect on 18 October 1993 has made this provision: "The seals of societies in national autonomous areas shall have inscriptions in both Chinese and the common local language."

92. Since 1990, cultural activities of the minority peoples have continued to flourish in China. At present, there are 9,699 major cultural bodies in the national autonomous areas, employing a total staff of 56,635. There are 545 professional groups of minority artists, 185 theatres and performance halls, 625 libraries and 7,590 cultural centres.

93. According to the statistics of 1993, China published 87 newspapers in 17 minority languages, with a total circulation of 115.3 million. It also published 173 magazines in 11 minority languages, with a total circulation of 12.91 million.

94. The Nationality Press was founded by the central Government 40 years ago specifically to serve minority readers. By 1993, it had put out over 14,000 publications, coming to some 215 million copies. These publications are circulated far beyond the minority areas of origin in more than 70 countries and territories all over the world. In addition, there are dozens of nationality presses in the provinces. The Tibetan Press, for example, founded more than 20 years ago, has published some 2,000 titles, the vast majority of which being in Tibetan, with a combined printing of over 50 million copies.

95. Cinema in minority areas is also doing quite well. The 1993 production figure of story films in minority languages was 3,410. In addition, 10,430 films were translated into minority languages. Audience attendance at the 12,736 projection centres in minority areas for that year was 464,865,200.

96. Collection and research work continues on the traditional medicines of minority peoples. According to the statistics of 1993, over 5,000 professional medical personnel of Tibetan, Mongolian, Uighur, Tai and other nationalities treated more than 1 million patients in over 500 ethnic clinics. At the same time, more than 80 books were edited and published, with 400,000 copies in print, on ethnic medicines. The traditional medicine of Tibet, for example, dates back more than 2,000 years. There are now in the Tibet Autonomous Region 10 Tibetan hospitals, 3 pharmaceutical plants, and an academy of Tibetan medicine. Every hospital in Tibet boasts a department of traditional Tibetan medicine, engaging a staff of over 1,700. Over 20 Tibetan medical books, in 10,000 copies, have been published. One Tibetan hospital in Lhasa, occupying over 30,000 square metres, equipped with over 170 beds and 10 technical sections, treats 260,000 patients each year.

97. The traditional holidays of minority peoples are preserved and observed. Time is taken off from work and special funds are provided for the festivities. The occasion of the great Muslim feast of Qurban in 1992, jointly celebrated by 60 mosques of Beijing, was particularly memorable.

98. Production of objects for special ethnic usage is an important industry. By 1994, this had expanded to involve 2,300 enterprises with an annual turnover of 500,000 yuan.

99. Archaeology in minority areas is an important scholarly endeavour. Since 1985, numerous archaeological expeditions in Tibet have excavated over 10,000 bone objects and other relics. The resultant research has confirmed Tibet's history to be 10,000 to 20,000 years older than previously assumed.

The discovery of the ancient site at Qugong, Tibet, was particularly exciting and was considered to be one of the 10 most important archaeological events of that year. The Government recently spent 200 million yuan to restore the Bsamyas Monastery and other architectural gems of Tibet. A survey of this heritage was published in four volumes. Tibetan art and artifacts have often been shown abroad in travelling exhibitions.

100. Ancient languages of minorities are also studied. Sponsored by China's Research Association of Old Minority Languages, over 100 books and 700 theses have been published on the research conducted on 30 minority languages.

101. The classification of the classics of minority cultures is a major task. At the present, at the provincial level and above, there are 24 institutions involved in this work. Thousands of such classics are being collected and restored in the libraries. Over 1,000 have been published. In Sichuan province alone, 130,000 old Tibetan woodcuts and prints, 12,657 ancient Tibetan texts and 2,125 Tibetan tanka scrolls have been collected and studied. The periodical review Ethnic Classics, with a nation-wide circulation, publishes hundreds of essays on this subject every year.

102. The total collection of Tibetan Vedic texts in the whole country is now about 3 million. They include originals, hand copies and block prints. Over 100 volumes of these texts have been published.

103. Tibet has established a cultural "data bank" which, from 1986 onwards, has transferred all extant Tibetan music, dance and drama into millions of primary characters and over 3,000 images and 320 hours of recording.

104. Yunnan, being a multi-ethnic province, has also, under the sponsorship of the central Government, committed a vast amount of human, material and financial resources to the collection and research of minority classics. From 1989 to 1994, it collected 4,600 ancient texts in the Yi language and 1,000 books in 6,000 volumes in the Naxi language; translated all 910 volumes of the Book of Tongpa in Naxi (among which notably the Tsomo, an ancient score of images used for dance instruction that is absolutely unique in the world); collected 200 books in 4,000 volumes in the Tai language; and, most exceptionally, the 30 books in 946 verses of the priceless Qing dynasty edition of the Koran in Arabic. At the same time, to save some cultures from extinction, exhaustive research was conducted to collect some 650 oral legends from 16 peoples, such as the Hani, and 12,000 pieces of records were kept about the 25 minorities in the province of Yunnan.

105. Many architectural sites in minority areas have been declared by the Government to be important cultural relics to be protected by the State or the region and restored. One of the major undertakings has been the repairs performed on the Potala Palace, the sacred site of Tibetan Buddhism. Lasting from 1989 until 1994, involving 111 engineering projects and costing 53 million yuan of government money, these repairs were without doubt the most extensive work done on the Potala since its construction in the early Qing dynasty. The leftover money and material were handed over to administration of the Potala for use in future maintenance.

106. Nor have other cultural and religious edifices been neglected by the Government. Thus, when the 400-year-old Tai Monastery of Tibetan Buddhism was affected by an earthquake, the State Council put out 30 million yuan over time to reinforce its structure. For a second Tibetan Buddhist shrine, the famed Lableng Monastery in the province of Gansu, the Government spent another 10 million yuan to restore it to its former glory.

107. To provide places of worship for minorities has always been a matter of particular concern. In the last 10 years, the central Government of China and the local government of Tibet have earmarked 210 million yuan as a special fund for this purpose, helping to maintain more than 1,400 Buddhist monasteries as well as mosques and Catholic churches.

108. To encourage regular exchanges between peoples, great effort is made to make the beauty of minority cultures accessible to the masses. The Hidden Treasures of the Snow Country, a large-scale exhibition of Tibetan art objects organized by the Imperial Palace Museum in 1992, was a huge promotional success. Thousands of visitors saw for the first time a face of Tibet they had never known.

109. One way to foster mutual respect is to learn the language of another. For example, in the Dehong Tai and Jingpo Autonomous District in Yunnan province, four different languages are spoken - Tai, Jingpo, Chinese and Zaiwa. The local television station has taken upon itself to broadcast a programme of lectures in all four languages, on the assumption that if people have to listen to one another, they will have to learn to live in harmony.

110. Every four years, China holds a traditional sports meet of minorities. The fifth game was held in 1995, in which 31 provinces, municipalities and autonomous regions were represented by athletes from all 55 minority peoples taking part in 146 events of competition and demonstration.

111. Every three years, China holds a book fair to award the best literary works with a minority theme.

112. Every two years, a "Stallion Cup" is awarded to the best television drama with a minority theme. So far it has been awarded five times. Every four years, a "Flying Dragon Cup" is awarded to the best film with a minority theme. Both these awards attract a great deal of interest from domestic viewers.

113. Minorities are conducting more and more their own independent exchanges with foreign nations. The Association of Foreign Exchanges by China's Minorities was founded in 1991 to encourage this trend towards greater understanding and friendship with different peoples of the world.

114. In the last 10 years, minority performance groups have visited more than 50 countries on 5 continents. The common flourishing of ethnic cultures not only reflects a reality of present-day Chinese society but also the revival of a long historical tradition.

115. With active encouragement from the State, China's minority art and culture have gained popularity both in China and abroad. Take the

multi-ethnic Guizhou province for example. In recent years, it has established 22 museums on minority customs - on minority marriage rituals, holiday festivities, traditional architecture, batik and embroidery, etc. With 7,000 minority artistic troupes regularly performing in its cities and rural communities as well as in Latin America, Europe and North America, Guizhou has earned the reputation of being a "new home for song and dance".

116. In the Xinjiang Uighur Autonomous Region, a Xinjiang Song and Dance Ensemble has been formed by performers from 13 different ethnic groups to take the music and dances of Xinjiang to 40 countries all over the world. Films on Uighur life has won honours at the Istanbul International Film Festival. Uighur singers have many times thrilled European and American audiences.

117. China's nationalities all enjoy the same freedom to effect exchanges with foreign countries. Minority areas have always opened their doors wide to foreign tourists. In 1992, not counting individual tourists, foreigners who travelled in groups to Tibet broke the 20,000 mark. An Italian tourist received a certificate honouring him as the "20,000th friendly traveller to Tibet of 1992".

118. Tibetan culture under government sponsorship is entering the world arena. In the last 10 years, 300 professional artists from Tibet have performed in more than 50 countries. Traditional art from the Tibet highlands has been exhibited in Japan, the United Kingdom, France and scores of other countries and territories.

119. A Foundation to Assist Development in Tibet was established on 4 April 1992 as a non-profit and non-governmental organization to raise money for construction in Tibet and other Tibetan communities. Ngapoi Ngawang Jigme, Vice-Chairman of the Standing Committee of the Seventh National People's Congress, has been appointed as Chairman of the Board. The Foundation has done much concretely to promote the culture, health care and social welfare of the Tibetan people, thereby earning their praise.

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OF RACIAL DISCRIMINATION

CONSIDERATION OF THE REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Seventh periodic reports of States parties due in 1995

Addendum

The People's Republic of China**

[Original: Chinese]
[15 January 1996]

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* Reissued for technical reasons.

** The present report combines in a single document the fifth, sixth and seventh periodic reports of the People's Republic of China due on 28 January 1991, 1993 and 1995, respectively.

For the fourth periodic report submitted by the Government of the People's Republic of China and the summary records of the meetings at which the Committee considered this report, see documents CERD/C/179/Add.1 and CERD/C/SR.868-870, respectively.

The information submitted by the People's Republic of China in conformity with the consolidated guidelines on the initial part of reports by States parties appears in document HRI/CORE/1/Add.21.

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Introduction

1. In conformity with the requirement of article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, the People's Republic of China submits to the Committee on the Elimination of Racial Discrimination its fifth, sixth and seventh periodic reports on the implementation of the Convention.

2. The main contents of its periodic reports deal with China's progress between 1990 and 1995 in the implementation of the Convention. The relevant information includes the country report submitted by China to the United Nations in 1992 (HRI/CORE/1/Add.21) as well as China's four previous reports on its implementation of the Convention. It should be mentioned that where the data in the previous reports differ from those provided here, the information in the present report shall be taken to be correct.

3. The present report follows the general guidelines regarding the form and contents of the reports to be submitted by States parties as adopted and revised by the Committee on the Elimination of Racial Discrimination (CERD/C/70/Rev.3).

I. GENERAL

4. According to the fourth nationwide census of 1990, the population of the mainland of China is 1,133,680,000. Besides the Han, there are 55 minority nationalities with a combined population of 91.2 million, or 8.04 per cent of the total.

5. The minority peoples of China concentrate in five autonomous regions - Inner Mongolia, Ningxia, Xinjiang, Tibet and Guangxi - and three provinces - Qinghai, Yunnan and Guizhou. In addition, there are also a small number of minorities living in three other provinces - Gansu, Sichuan and Hainan. At present, minority nationalities who enjoy autonomous rights in accordance with the Constitution of China have established 156 autonomous areas at different administrative levels, including 5 autonomous regions, 30 autonomous districts and 121 autonomous counties or banners.

6. About a fourth of the total minority population, some 20 million, lives outside the autonomous areas in scattered communities.

II. INFORMATION IN RELATION TO ARTICLES 2 TO 7

7. The Government of China, endorsing these basic norms of the international community against racial discrimination and committed to mankind's progressive endeavour to protect human rights, has actively responded to all United Nations activities to combat racial discrimination.

8. Since China became a signatory State, much has been done inside the country to give effect to the Convention. The result has been remarkable. By describing the legislative, administrative, judicial and other measures it has taken in nationality affairs as well as their social impact, China hopes to highlight the idea and the goal of this United Nations endeavour and to concretize the universal struggle against racial discrimination.

Article 2

9. The Chinese Government has always insisted on equality among China's nationalities. It opposes discrimination or oppression against any people. It promotes ethnic solidarity, mutual aid and common prosperity. It gives priority and preferential treatment to developing the economic and social enterprises of minorities.

10. The laws and other regulatory instruments promulgated by the Government of China in recent years, in so far as they bear on nationality affairs, have incorporated the essence of the Convention. The Basic Law of the Special Administrative District of Macau adopted by the Eighth National People's Congress on 31 March 1993 is a good example of China's commitment to the principles of the Convention. Thus, Article 25 of the Basic Law stipulates: "All residents of Macau are equal; no one shall be discriminated against on the grounds of nationality, origin, race, sex, language, religion, political or ideological belief, educational level, financial situation or social background."

11. Article 17 of the Civil Procedure Law adopted by the National People's Congress on 9 April 1991 stipulates: "The people's congress of a national autonomous area may, by adapting the principles of the Constitution and of this Law to local ethnic conditions, enact modified or supplementary rules."

12. Article 21 of the State Budget Administrative Regulations entering into effect on 1 January 1992 stipulates that the revenues and outlays of a national autonomous area shall be arranged and the management of its finances mandated in accordance with the provisions of the Regional National Autonomy Law; where there is no provision by the Regional National Autonomy Law, the State Budget Administrative Regulations and the relevant State financial administrative rules shall apply.

13. Article 6 of the Tobacco Monopoly Law entering into effect on 1 January 1992 stipulates: "State monopoly of tobacco in national autonomous areas shall, in conformity with the provisions of this Law and the relevant regional national autonomy laws, take into consideration the interests of the national autonomous areas and give preferential treatment to their tobacco growers and manufacturers."

14. The National People's Congress Adopted on 3 April 1992 the Delegate Law of the National People's Congress and of Local People's Congresses at Various Levels, article 38 of which stipulates: "In exercising their functions, delegates of minority nationalities shall be provided with necessary assistance and given special consideration in terms of language and daily habit by the departments concerned."

15. With the improvement of a legal system for China's nationalities, the autonomy rights of the national autonomous areas have acquired universal observance and protection. Thus, article 53 of the Law on the Protection of Women's Rights and Interests passed by the National People's Congress on 3 April 1992 stipulates: "The people's congress of a national autonomous area may, by adapting the principles of this Law to local conditions, enact modified or supplementary rules."

16. Article 30 of the Adoption Law passed by the National People's Congress on 29 December 1991 stipulates that foreigners may adopt children in China in accordance with this Law. Article 61 stipulates: "The people's congress of a national autonomous area and its standing committee may, by adapting the principles of this Law to local conditions, enact modified or supplementary rules."

17. The Regional National Autonomy Law is the principal law by which China regulates its ethnic relations. In December 1991, the State Council issued a Notification on Several Questions Concerning the Implementation of the Regional National Autonomy Law. This is one more major measure taken by the Government of China since the promulgation of the Regional National Autonomy Law to promote the full development of political, economic, cultural and social welfare enterprises in the minority areas.

18. In political terms, the Notification stipulates that minority cadres shall receive special attention and care. In a national autonomous area, the upper echelons of the people's Government and its subsidiary departments shall be staffed with minority cadres in positions of authority. In filling the annual staffing quota based on natural attrition, vacancies and projected post availability, priority shall be given to recruiting minority personnel. Schools and colleges shall give a sufficient number of courses on ethnic studies and minority policies. Problems affecting the relations between ethnic groups shall be promptly and properly addressed. Incidents which undermine ethnic solidarity shall be severely dealt with in accordance with the law.

19. In the economic domain, the Notification stipulates that the State shall appropriately increase its input into national autonomous areas on the basis of economic planning and the need for resources. In the 1991 to 1995 period, the total amount of fixed investment should be higher than before. Conditions being equal, priority should be given to channelling large and medium construction projects to minority areas. Local governments at all levels shall proportionately increase their investment in areas of minority concentration under their jurisdiction. Special measures and preferential policies of the State already in force in minority areas shall be kept unchanged. Annual appropriation from central finances for the Development Assistance Fund for Underdeveloped Areas, some 800 million yuan before 1990, shall be increased by 80 million yuan per year. Enterprises operating in national autonomous areas shall try their best to recruit minority personnel. Any enterprise suited to be run by minority personnel shall be decentralized and given over to local management. Other enterprises also shall enjoy tax breaks not available in non-autonomous areas and can retain a larger portion of their products for discretionary distribution. More community-to-community assistance should be given by economically developed areas to minority areas. Provinces and municipalities that are economically developed should select as counterparts one or two autonomous regions and provinces with large minority populations, sign agreements or contracts with them to transfer experience and technology and offer assistance in human, financial and material resources, thereby helping to speed up the development of minority areas in the domains of economy, culture, education, science and technology, health care, etc. The State Council should arrange for minority areas to accept more projects funded

by overseas loans and grants-in-aid. Bank credit to minority areas in capital assets and capital flows shall be commensurate with their level of development but assessed in preferential terms.

20. Concerning cultural matters, the Notification stipulates that strong measures shall be taken to help national autonomous areas run their schools. Schools programmes in these areas should be adapted to local production and ethnic lifestyle. More scholarships shall be available to minority students. Institutions of higher learning and professional schools shall continue to set more liberal admission standards for minority applicants. Among candidates with the same qualifications, those of minority origin shall be admitted first. Ethnic communities in remote border areas shall be identified for student recruitment and quota allotment. The State shall provide more funding for special educational grants for minority students. The State shall take measures to assist minority areas to develop their culture, health care and sports. Minority areas should have access to better information. In particular, they should be provided with more newspapers and books in ethnic languages. The splendid cultural heritage of minorities should be protected, enriched and propagated. National autonomous areas should receive more trained medical personnel. Traditional medicine of ethnic peoples should be preserved and developed. To improve their physical condition, encouragement should be given to organizing popular athletic events, including the traditional sports of minorities. Minority areas should receive assistance to broaden their scientific and technological capacities. Scientific training should be popularized. The impact of science should be explored. The fruits of new technology should be spread to minority areas. New industries should be launched.

21. Concerning social welfare, the Notification stipulates that more State assistance should flow towards poverty areas of minority concentration. With the growth of the economy, more funds should be earmarked to provide basic necessities to poor minority areas.

22. In its 1991-2000 National Economic Development Scheme, the Government of China has made special provisions for the economic development of minority areas. It requires that "the comparative advantages of minority areas be fully realized. The exploration of resources in these areas should be coupled with socio-economic development, thereby enabling them gradually to shed their backwardness, catch up with the rest of the country and share the general prosperity with all other peoples. The Regional National Autonomy Law and the preferential policy towards minority areas shall be conscientiously implemented to force a faster pace of economic and cultural development."

23. To expand production in farming, forestry and husbandry, the Scheme urges the creation of more "stable-yield and high-yield fields". More communities should become self-sufficient in food. The steppes and grazing grounds are to be more carefully managed. Existing grassland resources must be protected. A solution has to be found for the critical problem of drinking water for humans and animals in pastoral areas. The ecology of agriculture and husbandry must be gradually upgraded. The Great Bend of the Yellow River in Inner Mongolia and Ningxia shall continue to be built up into a granary for commodity foods. The Three River Basin of Tibet shall be developed.

Sugar beet shall be grown in Inner Mongolia, Xinjiang and Ningxia, cane sugar in Guangxi and Yunnan, cotton in Xinjiang, tropical cash crops in Hainan, Guangxi and Yunnan.

24. Concerning transportation and telecommunication, the Scheme gives priority to upgrading the rail lines from Lanzhou to Xinjiang, in south Xinjiang and from Xining to Golmud and to constructing new rails between Nanning and Kunming and Jining and Tonghua. At the same time, the Scheme calls for more rapid development of highways and air links to complete the regional transportation network.

25. In the energy and mining sectors, the Scheme proposes to give impetus to the development of minority area economies by exploiting the coal of Inner Mongolia, Ningxia, Xinjiang and Guise, the oil of Xinjiang, the hydroelectric resources and non-ferrous metals of the upper Yellow River, the Woo River basin, the Red River basin and the Launching River basin, the phosphorous of Yunnan and the solvate of Qinghai.

26. The Scheme also emphasizes processing industries which possess local advantage and character. The production of goods for ethnic use should be encouraged. Minority trade should receive preferential treatment. Meanwhile, the construction of border trading ports should be hastened to develop actively foreign trade and cross-border trade.

27. In the domains of science, education, culture, health care and sports, the Scheme envisions universal primary education. It advocates more adult education and vocational training, more pilot projects in science and technology, access to broadcasting and television coverage, formation of minority cadres and intellectuals, research in ethnic medicine, improvement of mass health care.

28. In 1991, the National People's Congress ratified the Ten Year Plan on National Economic and Social Development proposed by the State Council. The emphasis is on the "building up and development of socialist ethnic relations based on equality, mutual assistance, solidarity, cooperation and common prosperity". Regional national autonomy shall be maintained and elaborated. Discrimination and oppression of minorities shall be opposed. Ethnic separatism shall be opposed. The comparative advantages of minority areas shall be fully realized. The exploration of resources in these areas shall be coupled with socioeconomic development, thereby enabling them gradually to shed their relative backwardness and catch up with the rest of the country.

29. In March 1993, the Eighth National People's Congress adopted the Government's Working Report. In it, the Government declares that it will take forceful measures to continue its preferential policies for minority areas. For this purpose, it will increase input, make work substitute for welfare, exchange know-how, rely on science and technology to solve the problem of poverty, encourage mutual aid between communities.

30. On 26 March 1993, the State Council approved the Elements of Economic Institutional Reform for 1993 proposed by the Commission of Economic Institutional Reform. The Elements emphasize study of "what concrete policies can open up and accelerate the reform process in interior, border and minority

autonomous areas. By trying different types of pilot projects, each with its own characteristics, ways and means can actively be explored to introduce reform into the interior and into minority areas."

31. To satisfy special daily necessities of minority communities, the State Council authorized on 25 March 1991 the Comments on How to Intensify Ethnic Trade and Manufacture More Goods for Ethnic Use offered by the National Commission on Minority Affairs. According to these Comments, there are 412 "ethnic trading counties" in China, comprising 2,100 enterprises of some dozen categories producing special goods for the use of minority communities. In 1989, the total sales from these "ethnic trading counties" was 32.1 billion yuan, of which the production of special ethnic goods accounted for 2.5 billion yuan, respectively increasing by 167 per cent and 230 per cent over 1980. The Comments propose to keep the soft credit lines open to the minority enterprises in these counties. For this purpose, between 1992 and 1994, it was arranged to provide 40 million yuan in low-interest loans to build up their base network and to modernize their technology.

32. Between 1990 and 1993, the total industrial and agricultural output of all national autonomous areas increased by 43.3 per cent, of which agricultural output increased by 19.8 per cent and industrial output by 61.3 per cent. Life has visibly improved. The average annual salary of an employee in an autonomous area has increased from 2,040 yuan to 3,074 yuan. The average annual net income of a farmer or herdsman has increased from 546 yuan to 696 yuan.

33. China's minority regions are also increasingly open to foreign trade. In 1992, the State Council authorized the following border cities to be open trading cities: Huichun of Jilin province; Manzhouli of the Inner Mongolia Autonomous Region; Nanning, Pingxiang and Dongxing of the Guangxi Zhuang Autonomous Region; Kunming, Wanding, Ruili and Hekou of Yunnan province. In addition, it has applied to the Xinjiang Uighur Autonomous Region the same eight preferential policy rules as enjoyed by the coastal provinces.

34. Since March 1990, China has promulgated over 20 new autonomy regulations as well as a series of special ordinances in areas with concentrated minority settlements.

35. The legislation of national autonomous areas is constantly being reinforced. As of October 1995, China's national autonomous areas at different levels have enacted over 120 autonomy regulations and over 160 special ordinances. They govern a wide range of matters in 15 general domains - election, marriage, inheritance, ethnic culture, education and language, birth control, protection of minors, prohibition against narcotics, exploration of resources, conservation and management of soil, grassland, forests, rivers and lakes, and alleviation of the financial burden of farmers. Nine provinces with national autonomous areas under their jurisdiction have also promulgated regulations to implement the Regional National Autonomy Law.

36. China's local laws and regulations, by setting standards, have had an important impact on the development of minority areas. Take Inner Mongolia as an example. In recent years, the Inner Mongolia Autonomous Region has elaborated 37 local laws and regulations, 295 governmental ordinances and

over 30 special preferential policy rules. These have prepared the ground for a take-off in minority economy and culture. From 1980 to 1993, the total industrial and agricultural output of Inner Mongolia increased from 6.5 billion to 57.9 billion yuan. The average yearly income of a farmer or a herdsman is now 829 yuan.

37. The people's central Government continues to give special consideration to the Tibet Autonomous Region. Between 1965 and 1994, the 30-year aggregate direct investment by the central Government in Tibet was 9.79 billion yuan. In addition, it gave a total of 21.2 billion yuan in financial assistance. To effect accelerated growth, it was decided at the Third Working Seminar on Tibet, held in Beijing in July 1994, to invest over 2.3 billion yuan to launch 62 major projects in Tibet. As of now, with over 40 of these projects completed and the rest in progress, the actual investment has already risen to over 3.3 billion yuan. Thus, in recent years, the economy of Tibet has been growing at a healthy pace. In 1994, the GNP for Tibet was 4.3 billion yuan, an increase of 37.7 per cent over 1989. Its revenue was 142 million yuan, nine times over that of 1989.

38. Local governments also pay attention to the development of the national autonomous areas under their jurisdiction. For example, the province of Gansu has two autonomous districts and seven autonomous counties. Starting in 1991, the province has taken upon itself to provide a yearly subsidy of 3 million yuan to each district and 500,000 yuan to each county. The increase in input to these areas has been 150 million yuan in five years.

39. The Government of China attaches great importance to protecting the rights of the scattered minority communities and preserving their customs. In addition to the two standing ordinances - the Decision on Safeguarding the Equal National Rights of All Scattered Minority Ethnic Elements and the Directive on Some Questions Concerning the Establishment of Ethnic Townships - the National Commission on Minority Affairs also promulgated in November 1993, as authorized by the State Council, the Regulations for Ethnic Township Administrative Work and the Regulations for Urban Ethnic Work, thereby providing further safeguards for the rights of minorities living in scattered settlements.

40. After more than five years spent on drafting and revision, the Law to Safeguard the Equal Rights of Minorities in Scattered Communities was adopted in principle by the twenty-second session of the Nationality Committee of the National People's Congress in December 1991, thus passing on to a more advanced legislative stage.

41. In addition, the people's governments at different levels have committed more than 1 billion yuan over the years on the various enterprises of multi-ethnic communities.

Article 5

42. China opposes and severely condemns racial segregation and apartheid. China has no law, no policy with any tint of racial segregation and apartheid. China prohibits any propaganda and behaviour of this nature. Article 4 of China's Constitution stipulates: "Any act which undermines the unity of the

nationalities or instigates division is prohibited". Article 9 of the Law on Regional National Autonomy likewise stipulates: "Any act which undermines the unity of the nationalities or instigates division shall also be prohibited" by "competent State organs and the organs of self-government of national autonomous areas".

43. During every session of the United Nations Commission on Human Rights, the Chinese delegation has spoken up to support the activities of the Decades for Action to Combat Racism and Racial Discrimination and to oppose all forms of racism, racial discrimination, racial superiority and intolerance.

44. As a signatory State of the International Convention on the Suppression and Punishment of the Crime of Apartheid, China has always adhered to the policy of no engagement in any diplomatic or consular, political or cultural relations with any Government politically involved in racial discrimination.

45. On 22 March 1990, when Namibia celebrated its independence and the formal conclusion of a nefarious rule of colonialism and racism, the Government of China sent a vice-premier as a special envoy to convey its sincere congratulations to the new nation. On that very day, Namibia and China established diplomatic relations, opening up an era of flourishing mutual exchanges.

46. After 69 per cent of the white citizens voted on 27 February 1992 to abolish apartheid in favour of a peaceful resolution of South Africa's problems through negotiations, the spokesman of China's Foreign Ministry on 19 March expressed appreciation at the correct choice made by the vast majority of South African whites on this momentous question on which hinged the future of the nation, adding: "With the abolishment of apartheid in South Africa, the Government of China will normalize its relations with South Africa on the basis of the five principles of peaceful coexistence." Since then, trade relations between the two countries have flourished and exchanges of visits have greatly increased.

Article 4

47. China's Constitution stipulates: "All nationalities ... are equal" and "Discrimination against and oppression of any nationality are prohibited". Article 8 of the Trade Mark Law stipulates: "No trade mark may use words or designs showing discrimination against any nationality."

48. In June 1994, seven departments, including the National Commission on Minority Affairs and the Ministry of Culture, jointly issued a Notification Concerning the Prohibition Against Contents in News Publications and Literary Works That Undermine the Unity of Nationalities, banning any image in news media damaging to the interests of minorities.

49. China bans any domestic organization that propagates racial discrimination or the superiority of any people. Whenever ethnic discrimination appears, it is severely dealt with in a timely fashion by the Government.

50. For example, in July 1992, when a "Darkie" or "Darlie" brand of toothpaste appeared on the market with a black head as its trade mark, China's Industry and Commerce Administrative Office and the Ministry of Commerce promptly issued a note that the words and the design constituted racial discrimination against black people. The note points out that as they seriously violated articles 8 and 34 of China's Trade Mark Law, that brand of toothpaste was not to be sold by any shop or individual, or the seller would risk legal prosecution. The ban was scrupulously observed.

51. Another example: the Sichuan Art Press reprinted a comic strip originally published in Taiwan called Turn Your Mind Around. Volume 10 of the series contained pictures and texts insulting to ethnic and religious sensibilities, which unleashed strong dissatisfaction from minority groups. The State News and Publications Bureau promptly prohibited the book from being circulated. The case was tried by the Chengdu Municipal Intermediate People's Court of Sichuan province on charges brought by minority groups. The people responsible were found guilty of dereliction of duty and sentenced to five, three and two years of imprisonment respectively.

52. In early 1995 some newspapers carried a by-lined article which outraged ethnic and religious sensibilities. The newspapers concerned were ordered to suspend publication; the persons responsible were variously punished, either transferred, demoted or dismissed.

Article 5

53. Article 33 of the Constitution stipulates that all citizens are equal before the law.

54. Article 8 of the General Principles of Civil Law stipulates that its provisions on citizenry - on civil rights capacities, civil acts capacities, guardianship, etc. - also apply to foreigners and stateless persons inside Chinese territory, unless the law provides otherwise.

55. Chapter II of the Constitution, entitled "The Fundamental Rights and Duties of Citizens", and other special laws have laid down provisions and put up safeguards concerning the political, civil, economic, social and cultural rights of citizens. The four previous reports by China may be consulted for specific details.

56. Article 3 of the Trade Union Law adopted on 3 April 1992 by the National People's Congress stipulates: "All physical and mental workers of enterprises or administrative units or organs in Chinese territory who depend on income from wages as their principal source of livelihood have the right to join or organize a trade union in accordance with the law regardless of nationality, race, sex, profession, religious belief or educational level."

57. The particular individual rights of China's minority citizens are accorded further protection. Article 11 of the Civil Procedure Law promulgated on 9 April 1991 stipulates: "The citizen of any nationality has the right to undertake civil action in the spoken and written language common to that nationality". "The people's court in an area of minority concentration or in a multi-ethnic area shall handle and issue legal documents

in the spoken and written language commonly used by the people of that area." "A party to a lawsuit who does not understand the spoken or written language commonly used by the local people shall be provided with an interpreter by the people's court."

58. Of the 2,977 delegates attending the first session of the Eighth National People's Congress in March 1993, there were 433 representatives from 55 minority nationalities, i.e. 14.5 per cent of the total. Among the 19 chairmen and vice-chairmen of committees, 4 (over 21 per cent) were persons of minority origin. The Standing Committee, consisting of 134 members, had 25 minority representatives (18.7 per cent).

59. When the eighth session of China's People's Consultative Conference met in 1993, a total of 2,093 delegates attended. Again, 55 minority nationalities had sent their own representatives, numbering 241. These, plus 3 delegates who were foreign nationals, accounted for 11.5 per cent of the total. Among the 26 chairmen and vice-chairmen of committees, 4 (11.5 per cent) were of minority origin; among the 288 members of the Standing Committee, 42 (14.6 per cent) were of minority origin.

60. According to statistics, as of 1993, over 2.2 million officials of various levels in the whole country were of minority origin, as compared with a mere 10,000 in 1949. At the provincial/ministry level, 10.5 per cent of the officials were of minority origin; at the district/department level, the percentage was 7.9 per cent; at the county/office level, the percentage was 7.6 per cent.

61. In national autonomous areas, the proportion of minority officials has been rising. In early 1995, the Tibet Autonomous Region had 44,271 officials of minority origin, accounting for 72.1 per cent of the total. This broke down to 72 per cent at the level of the autonomous region, 86.1 per cent at the district/special area level, 61.2 per cent at the county level. All the administrative heads of districts, municipalities and counties were Tibetans; 80 per cent of the Party organizations in 7 districts/municipalities and 76 counties were headed by Tibetans.

62. In 1995, the Xinjiang Uighur Autonomous Region had over 270,000 officials of minority origin, or 48.1 per cent of the total number of local officials. Of the 10 chairman and vice-chairmen of the standing committee of the regional people's congress, 9 chairman and vice-chairmen of the regional people's government, 14 chairman and vice-chairmen of the regional political consultative conference, respectively 7, 5 and 9 were of minority origin. The chief justices and procurators of the autonomous region, districts and municipalities were all assumed by minority persons.

63. In the Inner Mongolia Autonomous Region, where minorities accounted for 19.38 per cent of the population, 23 per cent of the total number of local officials were of minority origin, breaking down to 51 per cent at the regional level, 50 per cent at the office/bureau level, and 50.77 per cent in the regional people's congress.

64. The same rapid increase of minority officials is evident throughout the nation. The interior province of Hunan, for example, had over 8,500 minority

officials under appointment and over 6,100 candidates in training in 1992. Among the latter, over 330 received university degrees and 1,340 received professional diplomas.

65. The Government of China puts great emphasis on the training and promotion of a growing corps of minority women cadres. Take Tibet as an example. At the end of 1989, women accounted for 30 per cent of all the officials in Tibet. Among them, 57.4 per cent were of minority origin. Before 1959, no woman ever served as an official.

66. Greatly in disproportion to their population, more and more leadership positions are taken by talented individuals from the minorities of China. Even in the military, minority ethnic officers are increasing in number. Under the Xinjiang Military Command, for example, where middle and higher ranking minority officers are sent in turn to receive training in higher institutions, 85 per cent of the minority officers have undergone further advanced training, while 50 per cent have acquired a university or professional degree. At the army or division level, there are over 100 minority officers, including the youngest general in all the armed forces, who is a Uighur. The Xinjiang Military Command has laid down special guidelines in a policy document entitled Ideas on How to Strengthen the Ranks of Minority Cadres.

67. Much attention is also given to the formation of intellectuals, technical professionals and managers from minority peoples. The five minority autonomous regions among them boast some 1.7 million skilled workers. In 1990, 47.21 per cent of the technical professionals in the Xinjiang Uighur Autonomous Region, over 180,000 in number, were of minority origin. In Tibet, that ratio attained 73.3 per cent.

68. As one of the provinces with a high concentration of minority communities, Yunnan has actively sought to stimulate science and technology in minority areas through legislative means. As a first concrete measure in this endeavour, it adopted in March 1991 the Regulations to Promote Scientific and Technological Advancement in the National Autonomous Areas of Yunnan, specifically providing for push and input in this particular domain. As of 1992, Yunnan had 215,800 minority technical professionals, or 22.24 per cent of the total. In the last 10 years, the national autonomous areas of Yunnan claimed 236 science and technology awards given by the province.

69. The Government of China protects the religious beliefs of minorities and respects their traditional faiths and rituals. On 28 January 1989, the tenth Panchen Erdini of Tibetan Buddhism passed away in Xigaze, Tibet. Two days later, the State Council adopted a decision on the question of the Panchen Lama's reincarnation and made it public. From then until 1995, the group appointed to search for the reincarnated soul boy made good headway in carrying out its mission following the prescribed rites and procedure. On 14 May 1995, the Dalai Lama abruptly jumped the gun by announcing from abroad his own "reincarnated child" in disregard of established rules. Unperturbed by this blatant attempt at interference, the Tibetan Buddhist leaders nevertheless settled on three candidates for the reincarnated soul boy of the tenth Panchen Lama. In strict adherence to historically established rituals, the ceremony of lot-drawing from the Golden Urn took

place on 29 November 1995 in front of the statue of the Lord Buddha Sakyamuni in the Jokang Monastery in Lhasa, presided over by a special envoy from the State Council. The boy thus selected turned out to be Gyaltsen Norbu, who was acknowledged to be the reincarnated Panchen Erdini. On 8 December, the State Council once again sent a special envoy to preside and watch over the enthronement ceremony of the eleventh Panchen Lama, to pronounce from the Golden Book and to confer on him the great Golden Seal. The search for and the identification of the reincarnated Panchen Lama, lasting six years, had at last come to a satisfactory conclusion.

70. The passing away of the sixteenth Living Buddha of the Karma Kargyupa Sect of Tibetan Buddhism also initiated a ritualistic search by the monks of the Vbrug Dgon Monastery for his reincarnated child. When the child was finally found, he was formally acknowledged on 27 June 1992 by the central Government in accordance with the historically established tradition. A special envoy was sent to attend his enthronement ceremony on 27 September that year as the seventeenth Karmapa Living Buddha. In October 1994, the Karmapa Living Buddha, expressly invited to visit Beijing and other places, attended the national day celebration ceremony, and was received by the President of the Republic, Jiang Zemin, and other leading personages of the nation.

71. The Government of China takes care of the religious life of the minority people, and guarantees both in legislative and in financial terms. Thus, two days after the Panchen Lama passed away, the State Council decided to commemorate this beloved patriotic religious leader by building a soul tower and a temple of worship in his name. For the task, 200 craftsmen were recruited from 18 counties and cities. The State put out 64 million yuan for building costs as well as 614 kilos of gold and 270 kilos of silver for decoration.

Article 6

72. China has written into law provisions against any act which infringes upon the basic rights of minorities or which has any implication of ethnic discrimination. These interdictions have already been mentioned in the four previous periodic reports.

73. Article 2 of the State Compensation Law which came into effect on 1 May 1995 stipulates: "Where a State organ and its personnel have acted unlawfully in the performance of their functions and infringed upon the legitimate rights and interests of a citizen, legal person or organization, thereby causing damage, the victim has the right to claim compensation from the State."

Article 7

74. To encourage solidarity, cooperation and prosperity shared among nationalities, the Government makes a point to honour and award units and individuals who have made special contributions to ethnic harmony. Thus, in October 1994, the State Council for the second time held a ceremony to confer honours on 643 groups and 613 individuals who had been active in promoting inter-ethnic relations.

75. The Government also calls on non-ethnic provinces to provide more assistance to minority areas. As of 1991, there had been more than 5,000 of such community-to-community projects in the pipeline, involving some 18,000 exchanges of skilled personnel of all kinds.

76. Starting from 1983, May of each year has been designated the "ethnic harmony consciousness-raising month" in the Xinjiang Uighur Autonomous Region, where total integration between the Hans and other minorities is a reality long taken for granted.

77. As ethnic relations in China consolidate on a footing of equality, unity and mutual assistance, internal voluntary migration of peoples also becomes more fluid. In the last 10 years in the Tibet Autonomous Region, for example, over 1,800 Tibetans have come back to settle, and over 12,000 have come back for family visits.

Education

78. The education of minorities is a high priority of the Government, which puts tremendous effort into it. According to the Development Programme for the Children of China in the 1990s, in the present decade, "the main thrust for universal and compulsory primary education and general literacy shall be directed at economically underdeveloped areas and minority areas. ... In these large, sparsely settled areas deficient in transportation, special measures shall be taken to renovate and build complete primary schools and teaching places, and resident primary schools and minority primary schools where necessary. More effort shall be devoted to training minority women teachers."

79. The State Council promulgated on 2 March 1992 a Programme for the Reform and Development of Education in China, in which article 11 stipulates: "Priority shall be placed on supporting the education of minorities. The central as well as the local Governments shall gradually increase their education outlays for minority students. Preferential policies and measures shall be adopted for minority areas with unique difficulties. When the State budgets aid and anti-poverty funding, a certain percentage shall be committed to ethnic education. College and high school graduates who volunteer to work in remote areas shall also receive preferential treatment. Inland provinces and municipalities shall be actively encouraged to give community-to-community assistance to minority areas. Minority areas shall explore ways to adapt their educational system to local conditions."

80. Article 25 of the Guidelines on the Implementation of the Compulsory Education Law of April 1992 stipulates: "National autonomous areas shall carry out compulsory education in accordance with the Compulsory Education Law and other legal provisions. The facilities, structure, pedagogy, curricula and language of instruction to be applied in compulsory education shall be determined by the local autonomy itself in accordance with relevant laws."

81. The rapid development of minority education is one of the proudest achievements of China's nationality policy. By now, 55 minority groups have undergraduates at or graduates from universities. Minority enrolment increases at a faster rate than the national average.

82. Minority education shows the following characteristics:

(a) It is expanding rapidly. Since 1950, 105 higher institutions have been launched in minority areas. There are now 12 institutes for nationalities in the country. Many universities and colleges offer preliminary or special classes for minority students. In 1993, there were 163,224 minority students enrolled in higher institutions;

(b) There are more and more teachers of minority origin. At present, at institutions of all levels, from primary schools to universities, there are altogether over 9 million teachers in the country, 4.3 times the number in 1950. Of these, 726,500 are teachers of minority origin, an increase of 1,021 per cent over 1950;

(c) A great deal more teaching material is now available in minority languages. Ten provinces and autonomous regions in China have publishers editing and translating books into minority languages, publishing each year 1,800 editions of middle and elementary school textbooks, numbering over 50 million copies. Over 6 million students from 23 nationalities are now being taught in 29 different minority languages, mainly in Mongolian, Tibetan, Uighur, Kazak, Korean, Yi and Zhuang;

(d) Minority education is undergoing active reform. In this respect, schools in minority areas receive a great deal of assistance from other areas. Since 1982, over 70 higher institutions have entered into affiliation with sister institutes in Xinjiang, Inner Mongolia, Ningxia, Tibet, Yunnan, Guangxi and Qinghai.

83. In recent years, thanks to a many-faceted approach - actively recruiting minority students, retraining teachers, providing guest lecturers, donating equipment and books, exchanging experiences in teaching methods and school administration, etc. - the standard of instruction in remote areas has greatly improved.

84. Advanced education for minorities, fostered by affirmative action from the Government, has also continued to make progress. One outstanding example is the Central University of Nationalities. From the outset, enrolment and books have been free. Students receive subsidized meals, free medical service, and grants-in-aid. Scholarships are awarded to outstanding students. The ratio of minority students at the University, 63.8 per cent at the beginning, has risen to 91.4 per cent. The ratio of minority teachers, too, has gone up from 16 per cent to 23 per cent today.

85. Let us take a tour around the major autonomous regions. In 1995, there were 3,564 institutions of various levels and kinds in the Tibet Autonomous Region, with a total enrolment of 270,000. In addition, in the rest of China, 107 special classes for students of the Tibetan ethnic group are offered in 26 provinces and municipalities, in which another 10,000 students are enrolled. From 1952 to the present, according to government policy, children of pastoral families in Tibet have enjoyed free meals, free uniforms and free boarding when they enter school. As a result, the enrolment rate of school-age children has risen from less than 2 per cent to the present 67 per cent. Illiteracy and semi-illiteracy have decreased from 95 per cent

to 44.43 per cent. In recent years, education has taken up 15 per cent of the regular budget of Tibet, annually increasing by 11 per cent. Input into educational facilities accounts for 10 per cent of the total local investment. Some 518,000 square metres of new schoolrooms have been constructed. Modern techniques such as instruction via satellite have been put into use.

86. In 1994, the Xinjiang Uighur Autonomous Region had 21 higher institutions, 355 intermediate-level professional schools and 8,947 middle and elementary schools, with a total enrolment of 3,041,600 students, of whom 1,978,200 were of minority origin. The respective enrolment figures in universities, high schools, junior middle schools and elementary schools per 10,000 population are all higher than the national average. The Autonomous Region also subsidizes the editing and translation of textbooks for minority primary schools. In 1995, the enrolment rate of school-age minority children attained 96.51 per cent. Of the 188,000 teachers in the Autonomous Region, 105,100 were of minority origin. In addition, since 1989, 55 higher institutions in other parts of China have turned out 5,000 minority graduates from Xinjiang.

87. Minority education has also developed rapidly in the Ningxia Hui Autonomous Region, where 33.25 per cent of the population consists of the Hui ethnic group. In 1992, Hui students of all levels and categories of schooling accounted for 27.1 per cent of the total enrolment. In the same year, it is interesting to note, 33.6 per cent of the education budget of Ningxia was committed to its southern part where most of the Hui people live.

88. In the Inner Mongolia Autonomous Region, the school attendance rate of minority children has attained 98 per cent. In the old days, advanced education in Mongolia was nil. By 1993, however, there were 19 higher institutions with an enrolment of 37,000, of whom 8,950 were of minority origin. The 1993 figure was 3.1 times that of 1978, 60.5 times that of 1952. Moreover, the growth of minority enrolment over the last 40 years was consistently higher than the average growth of enrolment for the autonomous region as a whole.

Culture

89. In December 1991, a national working conference was convened on the theme of minority languages. At the conference, the Government reiterated its policy of insisting on equality for all national languages. Of the 55 minority peoples of China, 53 have their own languages, and 21 have their own writing.

90. The Procedure for the Nomination and Designation of Delegates to the Fourth Session of the Seventh National People's Congress adopted on 3 April 1991 provides that nomination ballots shall be printed in Mongolian, Tibetan, Uighur, Kazak, Korean, Yi and Zhuang as well as in Chinese.

91. Article 2, paragraph 2, of the Regulations on the Seals of Societies coming into effect on 18 October 1993 has made this provision: "The seals of societies in national autonomous areas shall have inscriptions in both Chinese and the common local language."

92. Since 1990, cultural activities of the minority peoples have continued to flourish in China. At present, there are 9,699 major cultural bodies in the national autonomous areas, employing a total staff of 56,635. There are 545 professional groups of minority artists, 185 theatres and performance halls, 625 libraries and 7,590 cultural centres.

93. According to the statistics of 1993, China published 87 newspapers in 17 minority languages, with a total circulation of 115,130,000. It also published 173 magazines in 11 minority languages, with a total circulation of 12,910,000.

94. The Nationality Press was founded by the central Government 40 years ago specifically to serve minority readers. By 1993, it had put out over 14,000 publications, amounting to some 215 million copies. These publications are circulated far beyond the minority areas of origin in more than 70 countries and territories all over the world. In addition, there are dozens of nationality presses in the provinces. The Tibetan Press, for example, founded more than 20 years ago, has published some 2,000 titles, the vast majority of which are in Tibetan, with a combined printing of over 50 million copies.

95. Cinema in minority areas is also doing quite well. The 1993 production figure of story films in minority languages was 3,410. In addition, 10,430 films were translated into minority languages. Audience attendance at the 12,736 projection centres in minority areas for that year was 464,865,200.

96. Work continues on the collection and research of traditional medicines of minority peoples. According to 1993 statistics, over 5,000 professional medical personnel of Tibetan, Mongolian, Uighur, Dai and other nationalities treated more than 1 million patients in over 500 ethnic clinics. At the same time, more than 80 books were edited and published, with 400,000 copies in print, on ethnic medicines. The traditional medicine of Tibet, for example, dates back more than 2,000 years. There are now in the Tibet Autonomous Region 10 Tibetan hospitals, 3 pharmaceutical plants, and an academy of Tibetan medicine. Every hospital in Tibet boasts a department of traditional Tibetan medicine, engaging a staff of over 1,700. Over 20 Tibetan medical books, in 10,000 copies, have been published. One Tibetan hospital in Lhasa, occupying over 30,000 square metres, equipped with over 170 beds and over a dozen technical departments, treats 260,000 patients each year.

97. The traditional holidays of minority peoples are preserved and observed. Time is taken off from work and special funds are provided for the festivities. Celebration activities of minority culture of various kinds may be organized. The occasion of the great Muslim feast of Qurban in 1992, jointly celebrated by 60 mosques of Beijing, was particularly memorable.

98. Production of objects for special ethnic usage is an important industry. By 1994, this had expanded to involve 2,300 enterprises with an annual turnover of 500,000 yuan.

99. Archaeology in minority areas is an important scholarly endeavour. Since 1985, numerous archaeological expeditions in Tibet have excavated over 10,000 bone objects and other relics. The resultant research has

106. Many architectural sites in minority areas have been declared by the Government to be important cultural relics to be protected by the State or the region and restored. One of the major undertakings has been the repairs performed on the Potala Palace, the sacred site of Tibetan Buddhism. Lasting from 1989 until 1994, involving 111 engineering projects and costing 53 million yuan of government money, these repairs were without doubt the most extensive work done on the Potala since its construction in the early Qing dynasty. The leftover money and material were handed over to the administration of the Potala for use in future maintenance.

106. Nor have other cultural and religious edifices been neglected by the Government. Thus, when the 400-year-old Tai Monastery of Tibetan Buddhism was affected by an earthquake, the State Council put out 30 million yuan over time to reinforce its structure. For a second Tibetan Buddhist shrine, the famed Lableng Monastery in the province of Gansu, the Government spent another 10 million yuan to restore it to its former glory.

107. To provide places of worship for minorities has always been a matter of particular concern. In the last 10 years, the central Government of China and the local government of Tibet have earmarked 210 million yuan as a special fund for this purpose, helping to maintain more than 1,400 Buddhist monasteries as well as mosques and Catholic churches.

108. To encourage regular exchanges between peoples, great effort is made to make the beauty of minority cultures accessible to the masses. The Mysterious Treasures of the Snowy Land, a large-scale exhibition of art objects of the Tibetan Autonomous Region organized by the Imperial Palace Museum in 1991, was a huge promotional success which attracted thousands of visitors. Such activities have played a positive role in the cultural study and exchanges between ethnic groups.

109. One way to foster mutual respect is to learn the language of another. For example, in the Dehong Dai and Jingpo Autonomous District in Yunnan province, four different languages are spoken - Dai, Jingpo, Chinese and Zaiwa. The local television station has taken upon itself to broadcast a programme of lectures in all four languages, on the assumption that if people have to listen to one another, they will have to learn to live in harmony.

110. Every four years, China holds a traditional sports meet of minorities. The fifth game was held in 1995, in which 31 provinces, municipalities and autonomous regions were represented by athletes from all 55 minority peoples taking part in 146 events of competition and demonstration.

111. Every three years, China holds a book fair to reward the best literary works with a minority theme.

112. Every two years, a "Stallion Cup" is awarded to the best television drama with a minority theme. So far it has been awarded five times. Every four years, a "Flying Dragon Cup" is awarded to the best film with a minority theme. Both these awards attract a great deal of interest from domestic viewers.

113. Minorities are conducting more and more their own independent exchanges with foreign nations. The Association of Foreign Exchanges by China's Minorities was founded in 1991 to encourage this trend towards greater understanding and friendship with different peoples of the world.

114. In the last 10 years, minority performance groups have visited more than 50 countries on 5 continents. The common flourishing of ethnic cultures not only reflects a reality of present-day Chinese society but also the revival of a long historical tradition.